UNIVERSITY OF CALIFORNIA
RIVERSIDE

Pluralism, Consensus, Human Rights, and Civil Disobedience in Islam: An Early Model of Democratic Culture

A Dissertation submitted in partial satisfaction
of the requirements for the degree of

Doctor of Philosophy

in

Political Science

by

Robert Bruce Brown

June 2014

Dissertation Committee:
Dr. John Christian Laursen, Chairperson
Dr. Bronwyn Leebaw
Dr. John Medearis

UMI Number: 3630659

All rights reserved

INFORMATION TO ALL USERS
The quality of this reproduction is dependent upon the quality of the copy submitted.

In the unlikely event that the author did not send a complete manuscript
and there are missing pages, these will be noted. Also, if material had to be removed,
a note will indicate the deletion.

UMI 3630659

Published by ProQuest LLC (2014). Copyright in the Dissertation held by the Author.

Microform Edition © ProQuest LLC.
All rights reserved. This work is protected against
unauthorized copying under Title 17, United States Code

ProQuest LLC.
789 East Eisenhower Parkway
P.O. Box 1346
Ann Arbor, MI 48106 - 1346

Copyright by
Robert Bruce Brown
2014

The Dissertation of Robert Bruce Brown is approved:

_____

_____

_____

Committee Chairperson

University of California, Riverside

Acknowledgements

I would like to thank several people whose help was indispensable to the completion of this project. First and foremost, I would like to thank my mother, whose constant support girded me when all hope seemed lost. I would also like to thank my wife, Anna, who endured much during the writing of this paper and whose love was a guiding light to me. Finally, I must thank my Chair, Chris Laursen, whose advice was unflinchingly accurate and much needed.

ABSTRACT OF THE DISSERTATION

Pluralism, Consensus, Human Rights, and Civil Disobedience in Islam:
An Early Model of Democratic Culture

by

Robert Bruce Brown

Doctor of Philosophy, Graduate Program in Political Science
University of California, Riverside, June 2014
Dr. John Christian Laursen, Chairperson

This thesis will attempt to demonstrate that Islamic political thought developed democratic features and embraced concepts of universal human rights long before these features were evident in the west. By surveying Islamic religious, philosophical, and juridical records, it will attempt to determine whether the single over-arching theme of religious exclusivism has remained constant in Islamic literature (fundamentally alienating east from west), or whether concepts have been debated, modified, and incorporated in a dynamic way that reveals Islam as an evolutionary concept, rather than a rigid set of religious precepts, that is capable of producing a political process predicated on pluralism, consensus, respect for human rights, and toleration of civil disobedience. Samuel Huntington may be entirely correct that liberal democracy as it is understood in the west will never be derived from an Islamic ideology. However, we shall ask if Islam could provide a conceptual framework from which a non-western liberal democratic theory (one that retains the unique features of Islamic ideology) may be constructed, given time?

Huntington seems to ignore the ways in which western liberal democracy emerged throughout centuries of social conflict and challenges to time-honored culturally nurtured institutions. Similarly, Islam's culture stretches back for more than a millennium, and has undergone its own transformations. Were there periods of time in which the philosophic debate in Islam incorporated ideas that have nurtured democratic process? Is there evidence that Islamic ideology, like any other ideology, has been subject to alternative interpretations? In short, are Islamic religious beliefs flexible and can they express a genuinely Islamic brand of democratic culture? In this regard, there need not be extensive comparison with western democratic theory, either in the establishment of a "democratic culture", the debate regarding the normative understanding of rights (and their sources), or the implementation of a democratic process. It will suffice merely to examine the textual evidence and glean from it what Islamic scholars themselves debated.

Table of Contents

Acknowledgements……...p.iv

Abstract……p.v

List of Tables and Figures……p.viii

Introduction……...p.1

Chapter One: Methodology.....p.12

Chapter Two: A Survey of the Literature…….....p.23

Chapter Three: Liberal Democracy in the Early Islamic Period?.....p.46

Chapter Four: Early Expansion and Debate Concerning the Caliphate……p.69

Chapter Five: The "Golden Age" of Islamic Philosophy……p.98

Chapter Six: Islamism and Modernism……p.142

Chapter Seven: Competing Institutional Models……..p.175

Conclusion……....p.205

Works Cited……..p.212

Glossary.....p.225

List of Tables

Tables and Figures

Table 4.1……...p.82

Table 7.1……...p.179

Table 7.2……...p.183

Table 7.3……...p.186

Table 7.4……...p.187

Table 7.5……...p.188

Table 7.6……...p.192

Introduction

Islamic culture explains in large part the failure of democracy to emerge in much of the Islamic world…So long as Islam remains Islam (which it will) and the West remains the West (which is more dubious), this fundamental conflict between two great civilizations and ways of life will continue to define their relations….

Samuel Huntington[1]

No more definitive assertion of the West's skepticism regarding Islam has been articulated in the social sciences than the foregoing. Given the ascendance of the "Bush Doctrine" since the momentuous events of September 11, 2001, and the attempt to establish democratic partners in the Middle East, however, the debate over democracy within the Islamic world has been revived, a debate that has been largely ignored by western scholars. Islamic scholars (some of which have been identified by this research as "apologists") including Moulaui Chiragh Ali, Saad Eddin Ibrahim, and Fareed Zakaria have challenged Huntington's position, but other Western scholars have historically applied an interpretation of Arabic philosophical concepts that remains persistently uni-dimensional and vague, adding confusion and misunderstanding to the list of obstacles that these apologists seek to overcome. Islam, it should be noted, is diverse; that is, it has neatly adapted to regional cultures from Northern Africa and Spain to those of Southeast Asia. Nonetheless, Arabic (still regarded as a holy language) and Arabic interpretations of key concepts in early Islam are crucial to understanding the political ideas that were being discussed in Islamic communities through time.[2] It has often been through the prism of western chauvinism that the distinctions between Arab culture and Islamic

---

[1] Samuel Huntington, *The Clash of Civilizations and the Remaking of World Order*. (New York: Simon & Schuster, 1996), pp.29 & 212, respectively.

[2] For this reason, I have included a glossary in an attempt to define key terms (see Appendix A).

ideology have been obscured; concepts such as *jihad* (struggle),*itjihad* (interpretation), and *ijma* (consensus) remain mired in contexts prescribed by modern politics. Conventional Western political theory regards many of these elements from a rigid conceptual framework, given a name (Orientalism[3]) by Islamic scholars; but one essential question remains: Is Islam a monolithic, static ideology? If so, then Islam was (from the time of its very origins) and is (in every one of its modern expressions) either inherently undemocratic and exclusivistic (Huntington's position), inherently pluralistic and inclusive enough to foster a democratic culture of its own (the apologist position), or perhaps something in between.

Huntington, of course, approaches the problem from a cultural paradigm, and although he would acknowledge that culture is by no means static, he makes a crucial distinction between culture and civilization. Within the boundaries of culture is to be found intense activity (wars, ethnic conflicts, assimilation and dominance, etc.), but culture is expressed as the way in which societies absorb larger civilizational features. Civilization, on the other hand, is the much more static expression of commonalities between cultures (usually, religion and language).[4] There are several points of commonality that all civilizations enjoy (sanctions against murder, the efficacy of the family, the rule of law, etc.). Huntington has observed that the impact of modernization has been to allow the major civilizations of the world to retain what is unique about each by adapting the larger features of language and religion to the economic forces unleashed by the West. In this regard there is no threat to the "universal culture" of modernization,

---

[3] See Glossary, p.201.
[4] Huntington, pp.59-66.

at least not in the sense of what benefits each civilization (urbanization, literacy, etc.); rather, it is the assumption that there are certain "shared values" between civilizations that must be dispelled.[5] Modernization, then, allows for other civilizations to challenge the dominance of western "assumptions, values, and doctrines", all static concepts from the Huntingtonian perspective. If Islamic apologists are to make headway against this characterization of Islamic civilization, they must demonstrate that, in at least one of its aspects (particularly religion), change was always possible; even as they acknowledge that these transformations of culture took place over extremely long periods of time. This debate has profound consequences for the modern Middle East, a region that many political scientists have noted was "passed over" by the "third wave" of democratization during the 1970's and 1980's.

Scholars have debated various features they hold to be essential to democracy. One list often omits concepts that others include based upon the type of democracy each scholar adheres to. Thus, there is no single authoritative set of principles that all democracies everywhere share in common. What can be helpful, however, is to contruct a set of features that will act as an inventory from which different types of democracy draw their particular features. In this way, we may conceive of a genus of democracy from which several species derive specific forms. Each species may possess any combination of the features that are possible under the genus "democracy", but is not necessarily required to exhibit all of them. Drawing from the contribution of many democratic theorists, such a list might look something like this:

---

[5] Huntington, p.57.

1. A government that comes into power through elections.
2. Elections that are frequent, free, fair, and competitive.
3. Guaranteed civil rights (the right to speak out, the right to assemble and petition, etc.). This may, or may not, be based on the existence of a vibrant civil society in which the social order is distinguished from the political state.
4. Guaranteed political rights (the right to vote, the right to run for office)
5. A free press that it is independent of the government, and multiple sources of media information.
6. Accountability to the voters (through elections, recall mechanisms, polls, etc.)
7. Protection of minority rights.
8. Government transparency (the government generally works in the open, and corruption is limited).
9. Horizontal accountability between branches of government (checks and balances).
10. Internally sovereign government (the government can act without an unelected force, like the military, preventing it from ruling).
11. Near-universal adult suffrage (almost all citizens of age are allowed to vote, regardless of race, religion, etc.)
12. Rule of law (the government cannot violate the constitution or basic laws at will)

Can something like a democratic culture be conceptualized in Islam, one in which one or more of these features are present? If so, were they inherent features or did Islam have to adapt to incorporate to make them part of their governance of a larger community? Did Islam borrow them from the west, as some scholars have suggested, producing an awkward and artificial model of colonial rule, provoking the ire of Islamic "traditionalists" who resurrected the idea of a "pure Islam"? Or did it always possess them, including a concept of political rights and a democratic process? If so, to what extent did the acknowledgement of political rights encourage a pluralistic way of integrating a diverse population into an Islamic society and allow them to affect the policy-making organs of government, and what does that process look like? Were there opportunities for these diverse elements to challenge the political will of Islamic leaders?

This thesis will attempt to demonstrate that Huntington is essentially right in asserting the dynamic context of civilizational interaction. Ideas and concepts quite often enjoy a process of osmosis, flowing between societies and affecting outcomes in a world in which these civilizations must coexist. He is wrong, however, in assuming that culture is a more static expression of concepts that have been ingrained for long periods of time and which process civilizational interchange sporadically and, usually, with great conflict. In this thesis, it will be demonstrated that culture involves a dynamic process, one which sees the development of inherent conceptual frameworks bubbling up from its very core. This process occurs from the bottom-up, however, indicating a myriad of ways in which civilizational features such as Islamic political thought (as reflective of religious values) developed, arguably over long periods of time, incorporating several indigenous cultural features which provided the necessary space for pluralism, consensus, human rights, civil disobedience, even a democratic process, in Islam.

By surveying Islamic religious, philosophical, and juridical records, the question regarding the static vs. dynamic model of civilization will be tested by determining if one over-arching theme has remained constant in the Islamic literature (one that fundamentally alienates it from the West), or whether concepts have been debated, accepted and rejected, modified, and incorporated in a dynamic way that reveals Islam as an evolutionary concept, rather than a rigid set of religious precepts. Huntington may be entirely correct that liberal democracy, as it is understood in the West, will never be a feature that flows from Islamic ideology, but the apologists may have a point in that Islam could provide a conceptual framework from which a non-western liberal

democratic theory (one that retains the unique features of Islamic ideology) may be constructed, given time.

Ideas, political, religious, or otherwise do not spring from a vacuum. Indeed, given that culture undergoes transformations over time, such ideas must necessarily undergo cultural reevaluation and reinterpretation. Huntington seems to ignore the ways in which Western liberal democracy emerged during centuries of social conflict and challenges to time-honored, culturally nurtured, institutions. Similarly, Islam's culture stretches back for more than a millennium, and has undergone its own transformations. Were there periods of time in which the philosophic debate in Islam incorporated ideas that have nurtured democratic processes? Is there evidence that Islamic ideology, like any other ideology, has been subject to alternative interpretations? In short, are Islamic ideas flexible?

There need not be extensive comparison with Western democratic theory, either in the establishment of a "democratic culture", the debate regarding the normative understanding of rights (and their sources), or the implementation of a democratic process. It will suffice merely to examine the textual evidence and glean from them what Islamic scholars themselves debated. Western comparisons may be useful, however, in discovering similar methodologies in the historical interpretation of texts (something fundamentally different from the comparison of texts or the ideas they contain) and from the perspective that, comparatively, the West has at times seemingly lagged behind the progress of the East. Ultimately, this project seeks to challenge the hypothesis that Islam's impact upon civilization produced static principles that forever pitted it against

those of the west. Alternatively, it will demonstrate that there were debates and institutions within Islam that brought out the values of dialogue and progressivism in constructing democracy.

If we are to accept the static nature of Huntingtonian civilization, how are we to explain western-style democracy as it emerged from Christian civilization (Christendom), with its reliance on a monarchic theology that, given a different set of variables, might never have accepted the egalitarianism of the Late Renaissance and Enlightenment (a process it did, in fact, resist with all of its might)? Was it a given that Christianity would provide the philosophical basis for natural law thereby establishing the liberal rights that eventually empowered women and non-Europeans (after all, Christian Scripture was used to defend both patriarchalism and the institution of slavery)? Simply put, there are some who say democracy will never take root in the Islamic world; others think that even if it does, attempts at democracy in Islam will decay into crass populism and illiberal tyranny of majorities. Still others maintain that Islamic voices have the capacity both to articulate democratic ideas relevant to the popular desire for political power, yet still appeal to universal desires for personal autonomy and principles of equality and justice. This is not to conflate the concepts of liberal (or civil) rights and democracy. Societies can, and have, emerged which protect the idea of the sanctity of rights but are lacking in democratic process. The opposite is true as well. This thesis will argue that both were debated among Islamic philosophers and that what made democracy in Islam so unique was that the underpinnings of civil rights, especially for minority ethnic and religious

populations, were tied directly to democratic governance, as noted in the importance of the principles of ijma (consensus) and sura (consultation).

In this last regard, a more precise definition of Islamic human rights, as opposed to western liberal democratic rights, must be clearly established. It is certainly true that liberal rights emerged in the west originally as an articulation of entitlements separate and distinct from the prerogatives of government. The document signed at Runnymede was nothing more than an articulation of the nobility's entitlements. In this sense, Islam has no counterpart to the western liberal tradition. The best that can be said is that as Islamic imperial government evolved, absorbing non-Arab institutions, it became more secular, less involved in religious doctrinal disputes. The legal community had much to say on this subject, creating a breach between rulers and the governed. As Imperial governments became more secular, reform movements originated in rural areas focusing on the necessity to merge the secular and the divine. This did not have to be, however; that is simply one interpretation of the textual sources. What did significant texts say about the absorption of non-Arab institutions? What did these texts say about the mutability of interpretation, or the preeminence of the Islamic faith itself? The Qur'anic injunction "There is no compulsion in religion"[6] although it acknowledges the voluntary association of religious groups, does not necessarily limit the role of the state in determining the important role religion would play in the state. Alternatively, the injunction was also construed to acknowledge Islam as the only faith that expressed

---

6 *The Holy Qur'an,* 2:256, A. Yusef, Ali, translator and commentary. Brentwood, MD: Ammana Corp. 1983.

tolerance towards other monotheistic faiths, thus elevating itself to a state-sponsored religion that actively opposed the exclusivity of both Judaism and Christianity. In fact, there is a teaching within Islam (that will be considered later in this project) that establishes *jihad* as a principle that removes all obstacles, religious and secular, from the path of Islam as a superior (i.e. more tolerant) religion worthy of government endorsement (for its obvious utility to the community). The effect was the same. Islam was occasionally (and usually for political reasons) utilized to subdue minority religions to the point where they were forced to pay the jizyah tax in order to enjoy freedom to exercise their faith.

In short, do competing religions or states seek to restrict the free expression of Islam and compel Muslims to conform to their respective systems? If so, then, from an Islamic perspective, the state should be invested with power to eliminate the barriers to religion (especially Islam), thus leading to a merging of the religious and secular order. As in the West, there may be a thin line between the establishment and free exercise of religion. In a pragmatic sense, even given the more libertarian interpretation of 2:256, was the Qur'an practically ignored by political leaders whose reinterpretation of selective texts facilitated state sponsorship of Islam? There is another problem with equating western liberalism with the ethic of the East. There are two documents in Islamic political history, the Last Sermon of the Prophet and the The Constitution of Medina (both of which will be discussed in detail in Chapter Two) that address issues of human rights and the rule of law against the attacks of both external foes and fellow citizens, yet seemingly ignore the dangers of the religious state. In fact, given the seeming unified interests of

the early Islamic community, the implementation of purely democratic processes threatened to consolidate such a state, subordinating the rights of minority populations (*dhimmi*)[7] to the public will. This is not, in fact, what happened. As will be noted in this study, the undemocratic institutions of imperial Persia were rather quickly absorbed and adapted by the Caliphate in an attempt to manage expanding borders. Along with this came an increasingly tolerant and pluralistic philosophical tradition that was just as utilitarian in the peaceful governance of a ever-increasingly diverse population. Was the object of good governance, then, wise governance, guided by some divine principle, or was it merely a rationalization intended to make the Caliphate secure? Likewise, the concept of rights in the west originated from a particularly undemocratic source (i.e. Divine Law) but benefited from the social conditions in England and elsewhere that provided for their incorporation into a democratic culture. This is not a point in comparison; it is, in fact, a generalization about the interplay between ideas and society. Is it perhaps possible that the emphasis on pluralism in Islam doesn't incorporate a concept of rights at all? Did this emphasis only emerge after the democratic process had chosen a successor to Muhammad, thereby merely suggesting some practical ideas for his rule, or does Islam itself express a reliance on natural law that transcends the expression of the narrower confines of *sharia*?[8] The period in which the early Medinan community flourished provides clues; later periods help us refine our understanding of Islamic concepts of pluralism, consensus (including a political process for achieving this), human rights, and civil disobedience in Islam.

---

[7] See Appendix A.

[8] (See Glossary, p.201.)

This study proposes to achieve the following goal: to assess specific periods in Islamic history during which the parameters of Islamic political theory were established, and ideas were debated and discussed. These parameters provided various models of Islamic governance that were interpreted by scholars and social activists and used for their agendas. It will be demonstrated that such concepts in early Islam involved the discussion of the relative importance of allowing the individual the ability to employ the faculty of reason, the importance of debate and consensus, tolerance of minority populations, the malleability or static nature of Islam, and the need for a process with which to choose political leaders. Subsequent periods allowed both the academic community and political activists the opportunity to reinterpret these concepts either through the prism of reflective thought or via their utility to social movements and relevance to political agendas. In this way, the formation of Islamic theory (conducted in more sterile, dispassionate, academic environs) fundamentally shaped that of ideology (the practical use of those concepts to satisfy the attainment of political goals). Did these debates regarding these concepts ever elevate or empower the individual to proclaim a set of social and political rights, or did they merely outline a paradigm of wise governance? If the former, then Huntington is essentially wrong about a natural Islamic antithesis toward the West, and there is room for the idea of a universal civilization; if the latter, Islam preserves its uniqueness and exclusivity without need of the academic debates I will cite herein.

Chapter One: Methodology

Organization of the Project

Academic debate regarding the political dimensions of Islam has occurred continuously since the 7th Century C.E. Samuel Huntington[9] (as articulated in the opening quote of this project's abstract) has (whether he acknowledges it or not) essentially aligned himself with a particular school of academic debate regarding Islam and the East that includes scholars like Abraham Anquetil-Duperron, William Jones, Bernard Lewis, and even Karl Marx (the asiatic mode of production being a key concept of his) known as Orientalism.[10] "Orientalists", according to Edward Said, have sought to persuade the Western world that Islam is a monolithic religion that expresses everything antithetical to European democracy, rationalism, pluralism, and modernity.[11] Other

---

[9] Huntington, *The Clash of Civilizations*. (New York: Simon & Schuster, 1996), p.29 and 212.

[10] "Unlike the Americans, the French and British--less so the Germans, Russians, Spanish, Portugese, Italians, and Swiss--have had a long tradition of what I shall be calling Orientalism, a way of coming to terms with the Orient that is based on the Orient's special place in European Western Experience…It will be clear to the reader...that by Orientalism I mean several things, all of them, in my opinion, interdependent. The most readily accepted designation for Orientalism is an academic one, and indeed the label still serves in a number of academic institutions. Anyone who teaches, writes about, or researches the Orient--and this applies whether the persion is an anthropologist, sociologist, historian, or philologist--either in its specific or its general aspects, is an Orientalist, and what he or she says or does is Orientalism…Orientalism is a style of thought based upon ontological and epistemological distinction made between the Orient and (most of the time) the Occident. Thus a very large mass of writers, among who are poet, novelists, philosophers, political theorists, economists, and imperial administrators, have accepted the basic distinction between East and West as the starting point for elaborate accounts concerning the Orient, its people, customs, 'mind,' destiny, and so on. . .The phenomenon of Orientalism as I study it here deals principally, not with a correspondence between Orientalism and Orient, but with the internal consistency of Orientalism and its ideas about the Orient …despite or beyond any correspondence, or lack thereof, with a 'real' Orient…a corporate institution for dealing with the Orient—dealing with it by making statements about it, authorizing views of it, describing it, teaching it, settling it, ruling over it: in short, as a Western style for dominating, restructuring, and having authority over the Orient." Edward Said, *Orientalism* (New York: Vintage Press, 1973), p.1-3. Said even goes so far as to maintain that "…every European, in what he could say about the Orient, was a racist, an imperialist, and almost totally ethnocentric" (*Orientalism*, p.25).

[11] Bernard Lewis, in *Islam and the West* (Oxford: Oxford University Press, 1993), pp.135-136, articulates the Orientalist perspective that perceives Islam as monolithic and unchanging: "Islam

sources, both from within and without the Islamic community, have lent their voices to the debate. In Chapter Two: "A Survey of the Literature", the following selected periods will be surveyed for contributions to this debate:

The Early Medinan Community
Early Expansion and Incorporation of the Monarchic Caliphate
The Establishment of Turath (Medieval Islamic Tradition)
Islamism and Modernism
Competing Institutional Models

During each of these historical periods in Islamic history, it will be shown, social and political trends served to propel the philosophical debate in Islam specifically toward the possible inclusion of certain concepts that were crucial to the construction of democratic culture. A multitude of authors could have been included in this project. In order to approach the historical periods with a sense of clarity and focus, however, I have chosen what I deem to be particular authors who represent the contending sides of each debate. Others might object that seminal authors from each period have been overlooked. But only a few authors can realistically be assessed in a single project, and the following authors/works were those I deemed best suited to represent the social, cultural, political, economic, and geographic milieu of each period. The following summary of the chapters in this project indicates how I have topically organized the material:

---

was…associated with the exercise of power from the very beginning…This association between religion and power, between community and polity, can…be seen in…the religious texts on which Muslims base their beliefs. One consequence is that in Islam religion is not, as it is in Christendom, one sector or segment of life regulating some matters and excluding others; it is concerned with the whole of life, not limited but a total jurisdiction [italics added]". Lewis also maintains that "Islam is incompatible with liberal democracy as the fundamentalists themselves would be first to say: they regard liberal democracy with contempt as a corrupt and corrupting form of government.[italics added]" (Lewis, "Islam and Liberal Democracy: A Historical Overview," *Journal of Democracy*, vol. 7 ,April 1996, p. 54).

Chapter Two: Survey of the Literature

Contributions from a variety of sources: Orientalist, Islamist, Apologist, and Intellectual (explained in the chapter) will be surveyed, borrowing from and adapting Nelly Lahoud's typology for evaluation of the historical literature.

Chapter Three: The Early Medinan Community

- Qur'an (8th Century CE)[12]
- The Medinan Compact (622 CE)
- The Last Sermon of the Prophet (632 CE)
- Al-Bukhari's Hadith (832 CE)

Islam in the early Medinan period represented a radical transformation of Arab decentralized tribal culture throught the introduction of innovative concepts and processes: consent of the governed, pluralism, racial and gender equality, equity under the law, civil disobedience, consensus, consultation (deliberative process), and elections. Specific elements of Qur'anic text and Hadith highlight central features of these new concepts and processes; a particularly important point given the uni-dimensional and static view of culture formulated by Huntington and Arab culture by the Orientalists.

This third chapter will begin from the period of early political formation in the Islamic community. Translations of original texts (Qur'an, Hadith, The Medinan Compact, The Last Sermon of the Prophet,) will be used, although key terms in the original language (Arabic) will be analyzed so that the integrity of each translation or

[12] "Muslim scholars claim to have uncovered 7th century copies of the original Quranic manuscript, sent throughout the newly formed Arab Empire by Uthman, these being the Topkapi MSS in Istanbul, and the Samarkand MSS in Tashkent. However, manuscript experts have ruled out that possibility, and instead date these manuscripts as being from the late 8th century, at the earliest."—John Gilchrist, *Jam' Al-Qur'an: The Codification of the Qur'an Text,* (South Africa: Benoni, 1989), p.144). This is not the considered opinion of a single scholar; Gilchrist is conveying what a consensus of scholars has to say regarding this subject.

interpretation may be confirmed. One of the questions, particularly in response to the orientalist position, is "Can minority rights be respected in Islamic societies, or will they always be constrained by static cultural limits?" My research will consider the alternative hypothesis, that is, that the formation of culture is a dynamic process that involves the interpretation and reevaluation of conceptual items in the context of interaction with real socio-historical events. These events served as intervening variables in the process of political formation and provided both the impetus toward centralization and the context for each succeeding wave of conceptual reevaluation. I will explore the ways in which Islam contained the requisite conceptual items for a trajectory toward liberal democracy and inclusion; how at specific critical junctures in Islamic history, socio-historical developments forced a restructuring of these concepts in the push toward centralization.

Political actors and thinkers emerged during specific periods to justify the creation of innovative ideologies intended to help explain shifting institutional and political boundaries (arguably necessitated by intervening variables) favoring centralized authoritarianism. This conflict over ideology would eventually be waged in the twentieth century by three sets of agents:

> 1. The pan-Arab movement— political leaders that sought to modernize, centralize, and secularize society
>
> 2. Islamic extremists—scholars, jurists, and religious leaders that regarded the secular movement as a repudiation of Islam, subsequently constructing a conflictual paradigm for Islamic ideology and the West.
>
> 3. Academics—intellectuals involved in the effort to demonstrate that Islam was equal (and sometimes superior) to the West in its capacity to incorporate the elements of modern society, i.e. pluralism, legislative deliberation, wise

> government, moral leadership, rule of law, and democratic process (these were known as modernists). Sometimes intellectuals in this movement stressed the capacity of Islam to recede into the background as a guiding principle, restricted by institutional barriers from influencing government. Others argued that Islamic law (shariah) should stand at the forefront of society as a tradition superior to that of the West. Both of these perspectives were used, respectively, by the agents listed above.

It is interesting to note several things about the interrelation of these agents. First, both the pan-Arab and Islamic extremist models would come to favor authoritarian-like structures of centralized government (the pan-Arabist to maintain political stability, the Islamicist to enforce orthodox application of Shariah law, albeit with the appearance of democratic process). Secondly, the key difference between the first two agents and the latter: academics consisted almost entirely of intellectuals whereas the others were invigorated by the contributions of intellectuals and activists alike. Finally, academics thus inspired a multitude of ways in which Islam could be perceived: from the Orientalist, pan-Arabist, Islamicist, apologist, and "intellectual" perspectives. [13]

Thus, it will be necessary for this study to approach Islamic political thought and institutional development in various stages. The first stage, contained in this Chapter, will evaluate concepts from the early Islamic period contained in the Qur'an, the Prophet's Last Sermon, the Medinan Charter, early Hadith, and the emerging schools of Islamic jurisprudence. As these early sources are appraised, I hope to compare their core

---

[13] Nelly Lahoud, *Political Thought in Islam*. (New York: Routledge Curzon, 2005), p.1. Lahoud's typology, actually differentiates three distinct academic schools: apologist, Islamist, and intellectual. Intellectualism, for Lahoud, means something entirely different from those of the academic contributions that benefited the agents listed above; it infers an objectivity that was noticeably absent from academics who had an agenda linked to either the Pan-Arab or Islamic extremist movement. To be more precise, Lahoud would probably acknowledge that there is little distinction between academics (the category she places all three schools within) and intellectuals. It merely seems, to her way of thinking, that intellectuals have always been more honest about their biases.

concepts to similar ideas in Western political history, noting that both traditions alternately embraced or ignored specific textual interpretations in the establishment of their respective polities, arguably enhancing or impeding the development of democratic institutions. The succeeding stages, in which socio-historical processes significantly drove the articulation of one interpretation or another through time, will be addressed in successive chapters and will appraise the nature of Islamic political literature within the context of changing institutional landscapes during several historical periods.

Chapter Four: Early Expansion and Incorporation of the Monarchic Caliphate

- Abu Yusuf (731-798 CE)
- ibn Taymiyyah (1268-1328 CE)

As Islam rapidly expanded, a process that was deemed necessary by Abu Bakr (the first of the rashidun, or "rightly guided" Caliphs) for the survival of the community, it came into contact with other cultures (Byzantine and Persian) that had developed institutions for administration of large geographic units. If Islam had incorporated a rigid ideology, incapable of adaptation and the incorporation of innovative political ideas, one might expect this period of expansion to have represented a serious challenge to the survival of the community. Instead, particularly during the Caliphate of Umar, the Islamic community molded its political institutions in the image of these older political administrations, thus paving the way for a highly effective centralized model of imperial governance. This was not a trend toward democratic governance, but it certainly spurred a debate within the Islamic philosophic community regarding the role of innovation,

independent reasoning, and Istihsan (a concept that allows for the malleability of doctrine to address issues of equity)[14].

It was during this time that several sources (primarily hadith and fiqh) were developed that would help to shape orthodox views on a variety of topics: consensus (ijma), consultation (sura), struggle (jihad), independent reasoning (ijtihad), personal opinion (ray), and equity (istihsan). The first three represent concepts applicable to Islamic political ideology and the ordering of society, and the last three prescribe methodologies by which legal authors could interpret holy texts. The practice of istihsan, however, involved much more than just a simple concept of equity. Istihsan offered the possibility of flexibility in interpretation needed to develop Islam as a dynamic ideology relevant to succeeding generations of Muslims. The debate regarding this concept reflected the various contributions of two madhhabs (schools) of Islamic jurisprudence (fiqh), Hanafi and Hanbali, during the period of early expansion and incorporation of Persian political institutions. This demonstrates two points: first, that early Islam was adaptable to new concepts (a phenomenon well noted by scholars such as Douglas Streusand); secondly, that there was a deliberative process in which debate regarding adaptation was allowed.[15] The two authors discussed in this chapter, Abu Yusuf and ibn Taymiyyah, represent the opposing madhhabs, Hanafi and Hanbali (respectively), that debated Islam's capacity to allow for innovation.

---

[14] See Glossary, p.201

[15] Douglas E. Streusand. "The Historical Muslim City: Lessons for the Discourse on Islam and Democracy." Paper given at 4th Annual Conference: Center for the Study of Islam and Democracy, (a collaborative effort between the US State Department and Georgetown University), Washington D.C. 2003.

Chapter Three will focus on the political necessities that drove the Islamic community toward the ideal of Istihsan (deference to equity) within the context of Islamic jurisprudence (fiqh, including philosophical tracts, and the pronouncements of Imams and respected scholars). This ideal was the result of geographic expansion and the adoption of more centralized, hereditarily transmitted, less democratic, Persian institutions in early Islamic governance, at the same time, expanding the notion of Qur'anic interpretation to include the good of the community in developing interpretations of Shari'a law. Along the way, Islam also retained the concepts of ijma and sura. Innovation, oddly, provided both the impetus (within the philosophical community) toward consultative debates about the public good (introducing flexibility of interpretation) and an authoritarian model of Islamic governance that would assume the dimensions of a Western stereotype.

Chapter Five: The Golden Age of Islamic Philosophy)

- Alkindus, or Abū Yūsuf Yaq'ūb ibn Ishāq al-Kindī (801–873 CE)
- Rasis, or Abū Bakr Muhammad ibn Zakariyā Rāzī (865-925 CE)
- Alpharabius, or Abu Nasr Muhammad al-Farabi (872-950 or 951 CE)
- Avicenna, or Abu Ali Sina Balkhi (980-1037 CE)
- Al-Ghazali, or Abū Hāmid Muhammad ibn Muhammad al-Ghazālī (1058-1111 CE)
- Ibn Tufayl, or Abu Bakr Muhammad ibn Abd al-Malik ibn Muhammad ibn Tufail al-Qaisi al-Andalusi (1105-1185 CE)
- Averroes, or Abu'l-Walid Muhammad ibn Ahmad ibn Rush(1126-1198 CE)

During the period of Medieval Islam, concepts such as human rationality, the relationship of the individual to society, objective truth vs. deliberative process, and the role of religion in politics were uppermost in the minds of Muslim philosophers. Ibn

Tufayl critically assessed the concepts of objective truth, reason, and perception, much in the same way that Plato's Republic contributed to political discourse in the West. Ibn Tufayl perceived the human ability to think rationally to be exceptionally rare. Other authors, such as ibn Bajja (Avempace) and Ibn Rushd (Averroes), answered that all humans had evolved into rational creatures, capable of scientific thought and political discourse. This debate contained many of the core elements that would become central to the Hobbesian vs. Lockean perspectives in the 16th -17th Century. The debate also introduced a long period in which Islam incorporated and protected a great many non-Muslim populations that flourished under tolerant rule.

The fifth chapter, then, will trace the establishment of institutions and practices in Medieval Islam that used the ideal of Istihsan to formulate political systems that nourished free-thinking and debate, encouraged pluralism as an inherent social value, protected property rights, and posited the free will of rational humans (thereby creating the need for government as an arbiter of order). The debate of the Medieval Period produced turath, or the common Islamic heritage of the community (umma). Apologist critics of modern Islamicist movements (see Lahoud's typology in Chapter Two) would note that it wasn't until the Twentieth Century (the colonial era's impact and the reaction by Qut'b and others to clashes between Islamic and European paradigms) that many communities significantly diverged from these principles of openness, fairness, equity, public deliberation, social utility, and the adaptability of institutions.

Chapter Six: Islamism: Modernism and Radicalization

- Muhammad ibn Abd al-Wahhab al-Tamimi (1703-792 CE)
- Sayyid-Jamal al-Din al Afghani (1838-1897 CE)

- Sayed Ahmad Khan (1817-1898 CE)
- Sayyid Abul A'la Maududi (1903-1979 CE)
- The Muslim Brotherhood and Sayyid Qut'b

A crucial transition linking the last years of classical Islamic tradition to the period of European colonialism (and political movements against it) was dominated by such "teachers" as Muhammad ibn Abd al-Wahhab al-Tamimi, who first raised a clenched fist in response to what was perceived as Western encroachment on Muslim lands, and redirected the debate toward polarization and conflict. More importantly, Wahhab's ideas formed a vital link to 20th Century extremist interpretations of Islam (Islamism). It is Wahhabism that both Orientalists and Islamists (those who incorporate Islamic concepts to design conflictual strategies) draw upon as their standard for an understanding of monolithic Islam in the modern world. It is important to note that although non-aggression is not one of the benchmarks that is used to identify types of democracy, it was instrumental in determining the extent to which conflicts were resolved, both internally and externally, in Islamic society. This, in turn, accentuated the roles of deliberative discourse and representative institutions in several Islamic dynasties.

European political influence, during both the colonial period and the post-mandate construction of the Middle East, created highly centralized, semi-democratic, institutions. This led many in the Islamic community to debate, once again, the adaptability of Islam to the institutions and processes of modernity in the 19th and 20th centuries. Al Afghani led this movement to retrieve from historical Islam features that facilitated an embrace of modern concepts, at the same time rejecting Western culture. This nurtured two schools of modernists, the apologists (influenced by Sayed Ahmed

Khan) who continually sought to portray Islam as entirely compatible, despite its unique culture, with Western norms such as democracy and free enterprise; and the Islamists, who highlighted those same Western norms and values as fundamentally alien to the Muslim world. Maududi was selected for this study, instead of Sayyid Qut'b, because of his considerable influence on Qut'b and others in the establishment of this school. It is largely due to Maududi's and Qut'b's influence that modern Wahhabiism emerged as such a powerful ideology and driving force behind the Islamic extremist movement of the 20th Century.

Chapter Seven: Competing Institutional Models

Saad Eddin Ibrahim
Ira Lapidus
Fareed Zakaria
Antony Black

Some modern academics, both within and outside of the Islamic tradition, have attempted to approach Islamic philosophy from a less ideologically charged vantage point than others. Their contributions are valuable, especially when conceptualized into institutional models that challenge previous assumptions regarding Islamic governance. Consequently, the final chapter of this project will attempt to portray the lineaments of several models, including the traditional (historical), as opposed to traditionalist (purist) models.

Chapter Two: A Survey of the Literature

I propose to utilize Nelly Lahoud's typology for evaluating the historical literature regarding the development of Islamic ideology. Lahoud's framework conceives of three main academic schools: apologist, Islamist, and intellectual (in order to understand these schools as reactions to the West, I will add orientalism as a fourth school, but one outside the Islamic debate itself). Lahoud's work is a much needed contribution; first, by internalizing the philosophic debate to see what Muslims themselves have to say about government, secondly, in that it categorizes the intellectual discourse throughout the historical period between scholars, Imams, juridical schools (Hanbali, Hanafi, Shafi, etc.), distinguishing each school's motivation. Lahoud eschews general cultural arguments in favor a description of specific political agendas, particularly those that propel her three schools.[16] The author's intention is to suggest that scholars deploy "ideas to instill certain inclinations in people's minds that would make them favorable to a political objective and dispose them to viewing those ideas as truth."[17] Lahoud's attempt suggests that the very core of the problem in studying ideologies is one in which concepts, particularly religious or spiritual values, are fluid in the sense that they can be utilized in a variety of ways to suggest a myriad of social constructions. In this way, Christianity was used to advance both the "divine right of kings to rule" and Lockean democratic culture, and the cases for and against chattel slavery in the emerging American social system. Ideology then is the result of a culturally and socially dynamic

16 Lahoud, p.1
17 Ibid, p.2

process, influenced by historical events, producing snapshots in time for the scholar.[18] This cultural process is known in Arabic as turath, or the heritage of Islam.[19] For the Islamist this heritage is static, derived from a legalism that draws "literal" interpretations from Qur'an and Hadith in the formation of the Shari'a. For the Apologist, philosophical contributions have resulted in another static understanding of turath, one that incorporates pluralism, tolerance, and wise governance (through ijma and surah). Intellectuals, on the other hand, regard turath as a tool for raising questions, or problems to consider, regarding the adaptability of Islam to the modern world.[20]

Particularly valuable to this dissertation is the way in which Lahoud raises subjects that she has relatively little space to consider (in that she cannot trace the historical scholarly sources that have framed them), subjects that provide fruitful avenues of research into the textual analyses of the past and the ways in which "snapshots" of culture were established. The subject of Scriptures and authority, for example, remains a key stumbling block to our understanding of which perspectives on turath are being currently formulated in the post 9-11 Islamic community.[21] For the Islamist, the canonization of Scripture is essential. For Lahoud, secondary sources are favored in the discussion of this subject; for my research, consideration of primary sources will be of greater value.

---

[18] Ibid, p.6
[19] Ibid, p.5
[20] Ibid, p.5
[21] Ibid, p.63

Orientalists

Huntington's perspective on Middle Eastern culture (an object he treats as a monolithic, albeit not static, concept) typifies traditional orientalist themes of western scholasticism. Some useful observations may be gleaned from such an approach, both in the constructive attempt to find democratic precepts within Islamic theory and in the deconstruction of western chauvinism. Huntington, however, attempts to establish the understanding that political culture in Islam is biased toward authoritarian and undemocratic institutions. Are the boundaries of Islamic governance, however, irrevocably constrained by what other orientalists such as Bernard Lewis (1993), Sheila Carapico (1998), and Elie Kedouri (1994) claim to be a mixture of theocratic power and divine law that necessarily circumscribes civil society?[22] Sheila Carapico's *Civil Society in Yemen* represents an attempt to apply the western liberal institutional model to the study of civil society in Arab culture by measuring the growth of traditionally western-style interest groups (universities, community self-help projects, political organizations, labor unions, etc) in Yemen. Kedouri provides a compelling example of the orientalist perspective:

> "The breakdown of constitutional order, or rather its violent destruction in all the countries mentioned above, as well as in Sudan and Libya, where comparable vicissitudes afflicted the polity, has been followed by ideological politics, whether secular or fundamentalist, which provide no alleviation for the ills of the Arab world……those who say that democracy is the only remedy for the Arab world disregard a long experience which clearly shows that democracy has been tried in many countries and uniformly failed."[23]

---

[22] Sheila Carapico, *Civil Society in Yemen*. (Cambridge: Cambridge University Press, 1998), p.1, 5-6.

[23] Kedouri, *Democracy and Arab Political Culture.* (London: Frank Cass & Co. LTD., 1994), p. 104-105.

This quote contains the requisite orientalist emphasis: namely, that "democracy" in Islam is so antithetical to western norms that it is doomed to failure. Conspicuously absent, however, is an acknowledgement that an Eastern concept of rights could even be possible (albeit one reflecting indigenous features), or that Islamic institutions operating at both informal and formal levels may be, at least, egalitarian in the sense that they distribute justice and meet the material needs of their citizens.

Other orientalist works assessing the ideological roots of extremism, such as Gilles Kepel's *Jihad: The Trail of Political Islam* (2002), and the intertwining of religion and politics in Arab nations, including Joel Beinin and Joe Stork's *Political Islam: Essays from Middle East Report* (1996), and most recently, Larry Diamond et al's *Islam and Democracy in the Middle East* (2003), are assessed in this project as a basis of critique regarding Western assumptions about Islam.

Diamond, et al, includes essays from a variety of scholars, both eastern and western, representing the most current, comprehensive, and serious attempt to apply democratic theory to a region of the world seemingly left behind in the current global trend toward democratization: the Middle East. As timely as Diamond's contribution is, as vitally needed a debate as this represents, much of what is contained in this book is merely a perpetuation of orientalist scholarship. From Diamond's decrying, in his introduction, "illiberal Islamism" (a concept that seemingly defies description: is it democratic "procedure", i.e. populism, or is it some normative theory that denies

objective western style rights?) to Blumberg's condemnation of "liberalized autocracy"[24], it seems Islam is incapable of adapting to any models of governance short of those that embrace the despotic or fanatical fringe. Is Islam "illiberal" as Diamond himself suggests, or can liberalism coexist within the context of an autocracy? The concept of "illiberal Islamism" suggests a social utility to religious ideology that may, as Fareed Zakaria has suggested, codify age-old ethnic rivalries and popularly defined restrictions of civil liberties. At one end of the spectrum of Islamism stand the religious Imams and ayatollahs who defend a very hierarchical structure based on revealed doctrine and objective "truth", at the other end reside the social movements and populists who seek to codify Islamic law into legislative action in the name of the "people". From whence does legitimate authority flow, from those who would preserve hierarchical institutions perceived as the best guarantors of egalitarian rights, or those who would leave such issues to a deliberative process that includes the interpretation of the masses? American Constitutional democracy emerged from a mixture of both, so why cannot Islamic democracy do so as well?

In short, the orientalist perspective is hampered by a preoccupation with the here and now; it applies "snapshots" taken of Islam over the course of the twentieth century and applies them retroactively to the whole of Islamic history. Diamond's reliance upon Bernard Lewis, the noted orientalist scholar, and his assertion that "the idea of freedom…remained alien" to Islamic societies, displays a typical lack of knowledge

---

[24] Larry Diamond, Marc Plattner, Daniel Brumberg, eds. *Islam and Democracy in the Middle East*, (Baltimore, MD: The Johns Hopkins University Press, 2003), P.35

regarding Qur'anic discourse and the philosophical debate within Islam that developed over several centuries.

Apologists

In reaction to the approach of the orientalists, there emerged, particularly during the 19th and 20th centuries, a movement designed to explain the intellectual merits of Islam, particularly as it related to the average Muslim's ability to adapt to an increasingly modernized world. Apologists either attempted to convince Muslims of the compatibility of Islam to Western norms or of the superiority of Islam to anything the West had to offer. Both camps eschewed traditionalism (as it related to culture); each attempted to draw conceptually from Islam a basis for embracing a Western or an Eastern-centric view of modernity. The apologists who embraced a conceptually purist version of Islam laid the groundwork for cultural traditionalists to assert exclusivist themes in the attempt to galvanize political movements designed to "return Islam" to its proper ascendant role in politics. These movements, although grounded in regional cultural traditions that any purist would have detested, nonetheless convinced many that their political agenda really did represent a return to "pure" Islam.

This movement would coalesce into Islamism and the extremist movements of the 20th Century. Especially significant to the apologist perspective, particularly for those interested in accommodation with the West and establishing the idea of pluralism and tolerance in Islamic ideology, were the works of Bat Ye'or, *Islam and Dhimmitude, Where Civilizations Collide* (2002) and Abdolkarim Soroush's *Reason, Freedom, and Democracy in Islam* (2000). Louay Safi's *Tensions and Transitions in the Muslim*

World (2003) notes the modern Islamic world's dearth of democratic regimes and contrasts this with a democratic "golden age" (the early umma) that eschewed secularism, in effect embracing the possibility of a religious democracy (hardly a concept well received in the academic community). Much of the modernist (see definition on p.12) literature includes an Apologist bent. This would include the early contributions of Sayyid-Jamal al-Din al Afghani (1838-1897), Abduh Muhammad Rashid Rida (1865--1935), and Moulaui Chiragh Ali. Fred Halliday's *Islam and the Myth of Confrontation* (2003), Ray Takeyh's "The Lineaments of Islamic Democracy" (2002), Abdulaziz Sachedina's *The Islamic Roots of Democratic Pluralism* (2001), and Richard Bulliet's *The Case for Islamo-Christian Civilization* (2004) also contribute much to the Apologist school.

A general criticism of a modern orientalist "particularism" may be gleaned from the work of Halliday, whose key contribution seems to be an understanding of the complexity and diversity of the Islamic world, contrasted with the idea that because western universalism cannot make sense of this diversity, it resigns the region to authoritarianism and despotism. Ray Takeyh, meanwhile, maintains that western perceptions of Islam have been shaped by socio-historical processes that result in extremist ideologies that serve to undermine the efforts of liberal Muslims in their attempts to achieve "universalist" objectives: security, material goods, spiritual identity, etc.[25] Sachedina provides a similar argument involving ideologies (including Islamic ideologies): they are always conditioned and circumscribed by social interaction in such a

[25] Ray Takeyh, "The Lineaments of Islamic Democracy", *World Policy Journal*, Winter 2001/02 p.60.

way that material needs will determine the universal principles valued by the dominant culture. Concepts such as justice, toleration, cooperation, and a unified national identity, are affected, both positively and negatively, by the institutions created in response to citizens' struggle for material goods. Significantly, Sachedina conceives of the ways in which real patterns of social interaction may inform conceptualizations of Qur'anic themes and expand them to meet changing circumstances.

Bulliet attempts to provide an answer to Huntington's conceptualization of "civilizational differences."[26] Bulliet's focus is to highlight key similarities between Islam and Christianity, similarities that have historically been ignored by orientalism. Huntington is merely a modern twentieth century transgressor; Saladin's sacking of Jerusalem in 1187, the Turkish conquest of Byzantium in 1453, the failed Muslim siege of Vienna in 1529, the Iranian take-over of the American embassy in Tehran in 1979, ushering in an "Islamophobic" era from 1980 to the present, represent historical points, all of which have filled Europeans with a sense of impending fear and mistrust of Islam.[27] Such fear has been institutionalized within the halls of western academia in the form of "orientalism", a perspective that perpetuates stereotypical images of the Islamic East. To be sure, the military ambitions of the Islamic armies during these junctures provided ample reason to distrust their motives, but certainly no more than Crusader armies or WWI European powers dividing the lands of the Middle East into kingdoms and "mandates". Contrasted to this stereotypical view of Islam was Islam's view of

---

[26] Richard W. Bulliet. *The Case for Islamo-Christian Civilization*. (New York: Columbia University Press, 2004), p.7

[27] Bulliet, p.7.

Christians under their rule. Christianity and Judaism were seen as religions "of the book" and protected, as well as given considerable autonomy, during periods of Islamic conquest.[28] Although it is easy to dismiss this because of the dominant position of Islam, it is equally valid to claim a geographic/cultural commonality in explaining the same phenomenon. Muslims believed themselves to be a continuation of the spiritual revelation beginning with Abraham, continuing through Christ, and culminating in Muhammad. Bulliet, consequently, directs his efforts at paralleling the traditions of Sufism and Western monasticism.[29] He examines overall trends in the Muslim community that either help or hinder perceptions of commonality. Islam's inability to incorporate a modern liberal education into its culture of clericalism and religious authority, for example, make orientalist stereotypes easy to perpetuate.[30] Bulliet attempts to redirect academic debate toward a discussion of institutions and their functions by developing a game theory approach to interaction within institutions. Bulliet does not engage in documentary or textual analysis, however; that is the distinguishing characteristic of this dissertation. This type of work, however, is valuable as a component of what I am looking at, namely, the way in which historical periods have interpreted textual sources and constructed democratic or undemocratic institutions.

Islamists

The Islamist perspective is limited to a specific political agenda, that is to say, it was meant to deconstruct modernism and frame the context of modern Islamic political

[28] Ibid, p.18.
[29] Ibid, p.36.
[30] Ibid, p.88.

discourse to include a sectarian view of government. The initial movement toward rejection of Western values was spearheaded by Muhammad ibn Abd al-Wahhab al-Tamimi (1703 C.E. – 1792 C.E.) The figures of Sayyid Abul Ala Maududi (1903-1979) and Sayyid Qut'b (1906-1966), among others, were central to the modern movement; this project will treat each of their contributions as a link between the Modernist and Post 9/11 debates, particularly as they influenced the works (fatwas, etc.) of Al-Qaeda's Osama Bin Laden and Ayman al-Zawahiri's movement. It is this link that leads the mainstream Muslim community to debate the capacity of Islam to incorporate democracy and pluralism (the actual focus of this dissertation) in the post 9/11 environment.

Academics

Saad Eddin Ibrahim's "Civil Society and Prospects of Democratization in the Arab World", included in Augustus Richard Norton's *Civil Society in the Middle East* (1995), and Ira Lapidus's "State and Religion in Islamic Societies", *Past and Present*, 151, May (1996) propose academic paradigms that include historical, decentralized, and competing "Caliphal" and "Imperial" models of Islamic governance. Ibrahim, in particular, articulates a historical argument for the existence of a vibrant civil society in Islamic culture, one which contributed to a concentric model of representative Islamic governance. Several studies appraise the prospects for liberalization of Arab culture, most notably: Mehran Tamadonfar's *The Islamic Polity and Political leadership* (1989) and Leonard Binder's *Islamic Liberalism: A Critique of Development Ideologies* (1988). Ghassame Salame's *Democracy Without Democrats? The Renewal of Politics in the Muslim World* (1994), and a multi-volume work entitled *Political Liberalization &*

Democratization in the Arab World (1995), edited by Rex Brynen, Bahgat Korany, and Paul Noble, editors, contribute much to the modern scholarly debate regarding the political, economic, and cultural forces that drive Muslims to embrace or reject democratic values. Antony Black's *History of Islamic Political Thought* (2001) very clearly articulates a theory distinguishing Arab culture from Islamic governance. Similarly, much of the post 9/11 research in the West has taken on this more analytical approach. Michael Cook's *Studies in the Origins of Early Islamic Culture and Tradition* (2004), Charles Kurtzman's edited volume, *Modernist Islam, 1840-1940: A Sourcebook* (2002) and an earlier work, *Liberal Islam: A Sourcebook* (1998), Nelly Lahoud's *Political Thought in Islam* (2005), Scott C. Lucas's *Constructive Critics, Hadith Literature and the Articulation of Sunni Islam: The Legacy of the Generation of Ibn Sa'd, Ibn Ma'in, and Ibn Hanbal* (2004), Oliver Roy's *Globalized Islam: The Search for a New Ummah* (2002), Louay Safi's *Tensions and Transitions in the Muslim World* (2003), and Jan Erik Lane's & Hamadi Redissi's *Religion and Politics: Islam and Muslim Civilization*, represent this last trend.

Cook's work is of immediate importance to the historical debate: an edited volume comprised of journal articles written over a long period, each focusing on various elements of a cultural process. This process determined the way "classical" Islam looked, particularly as it emerged between the seventh and ninth centuries A.D. (1^{st}-3^{rd} centuries A.H.). Cook's work represents the scholarly debate as it developed from the 1980's until the period directly preceding the events of September 11, regarding primary sources in Islam and their translations from the Arabic. Chapter One, for instance, details

the origins of kalam: a medieval Islamic cosmological philosophy regarding the finiteness of the universe. Other chapters range from such topics as Egyptian historiography (II), to dietary practice (III) and Weberian analyses of Islamic sects (VI). Although dietary practice sheds little light upon the political institutions of the day, the ways in which that practice was determined, from Hanbal's influence to the collection of Buhari's hadith, reveals much about textual analysis, interpretation, and authority in the early Islamic community. Weber's structural paradigm for the study of religious institutions, most notably his distinction between "sect" and "church", similarly reveals the nature of religious authority, particularly in the early Islamic community (VI). On the surface, Cook would seem to have only tangential relevance to this dissertation; however, the processes he observes to be vital, translation and the utilization of interpretive structures, will be important topics to address here.

Kurzman's Modernist Islam suggests that a modern Western bias against the viability of Islamic modernism has thrived throughout the nineteenth and well into the twentieth century. The emergence of the modernist school in Islamic political discourse, while certainly influenced by the institutions and philosophical trends of the West, developed in reaction to an imperialist power that threatened to swallow Islam whole and supplant the traditional religious, cultural, and moral values that had formed the bedrock of centuries of Islamic governance. The modernist school acknowledged the arbitrary way in which regional differences and traditional practices had influenced the interpretation of Islam, and hence, hampered the effectiveness of government. Modernists were, however, in disagreement on several points. First, to what extent could

early "pristine" Islam, as its defenders termed it, be used as a model for the modernist movement?[31] That is to say, although "traditionalism" (understood as the historical trajectory of Islam) could be eschewed, how far could modernists go in rejecting the words of the Prophet or the governance of the first Islamic community in Yathrib (Medina)? Secondly, how far could the modernists go in rejecting, reinterpreting, or incorporating and adapting the traditional Islamic scholarship of the past in their arguments?

Thus, there were those modernists who outright rejected traditional Islam as a backward concept and those who embraced it as an ideal that had been corrupted over time, yet contained the very elements of modernism the contemporary movements so fervently sought. Everything hinged on interpretation.

It is these varying 19th and 20th century interpretations from several influential modernists (Sayyid-Jamal al-Din al Afghani, Abduh, Muhammad Rashid Rida, Sayyid-Ahmad Khan, Namik Kemal, Ismail Bey Dasprinskii, etc) that Kurtzman's edited volume contains. In short, the work seeks to document the primary sources (journalistic essays, scholarly treatises, "didactic fiction") of the modernist school.[32] The themes that each author addresses within the context of interpretation of historical texts are: "state-building, limits on state power, elitism vs. egalitarianism, discipline vs. liberty, Europhilism, and anti-imperialism."[33] The values teased from the historical documents, were: "constitutionalism, cultural revival, nationalism, freedom of religious

---

31 Charles Kurtzman, ed. *Modernist Islam, 1840-1940: A Sourcebook* (Oxford: Oxford University Press, 2002) P.5.

32 Ibid, p.5.

33 Kurtzman, p.5.

interpretation, scientific investigation, modern education, and women's rights", among others.[34] This modernist reinterpretation of primary sources (philosophical tracts, legal commentaries, academic works, etc) constituted an attempt to construct a modern liberal paradigm for Islam in the twentieth century.

In this way, the modernist school has provided me with several typologies and methodologies to further utilize. For instance, although the themes of the modernist school can be seen as influenced by European "enlightened" discourse (and, therefore, limited in its application to regional variations of Islamic political thought), the values that each infers (constitutionalism, cultural revival, et al) can be adapted to provide a framework from which any reasonable debate regarding Islam's capacity to develop indigenous democratic institutions may proceed. As Jamal al-Din al-Qasimi notes in his chapter on "telegraphic messages", a methodology allowing fluidity of Islamic interpretation is exemplified in the development of Shari'a law and the essential elements of fiqh, or Islamic jurisprudence, in which concepts were debated and expanded during various historical periods.[35] Other contributions, such as Namik Kemal's "And Seek Their Counsel in the Matter", provide a starting point from which Islamic attempts to govern via "consensus", (ijma) and consultation (sura) are favorably compared to democracy in the modern era.[36] The crucial variable to consider within this context is to make the historical connection by seeing the various ways in which contemporaneous institutions developed over time, in response to interpreted values such as "consensus".

---

[34] Ibid, p.4
[35] Ibid, p.182.
[36] Ibid, p.144.

Kurtzman's other major contribution, *Liberal Islam*, attempts to explain the diversity of regional variations in Islamic governance. In this way a fundamental distinction between "customary Islam" (regional practices) and more broadly accepted conceptual similarities (those "shared throughout the Islamic world") is clearly established in Kurzman's introductory chapter.[37] The trend toward "revivalist Islam" (Islamism, fundamentalism, Wahhabism) is likewise discussed primarily as a regional development (meaning culture "bubbled up" to produce change in reaction to colonialism).[38] Interestingly, Kurzman relies on the familiar scholarly sources of the modernist school in the analyses of these topics. Again, we find the voices of al-Afghani, Ahmend Khan, and Gasprinskii reiterating themes of modernism, this time in a discourse designed to isolate liberal trends within Islam over the past two centuries.[39]

In one sense this should raise some concerns regarding the agenda of the modernists and the veracity of their contentions, one of which is that Islam has the capacity, outside of any particular agenda to reinterpret its sources, to indigenously embrace liberal concepts. Secondly, Kurtzman does not seek to make the crucial connection between liberal institutions and democratic process. Such a conceptual leap as this would have obviously been interpreted by many in the Islamic world as a blatant attempt to graft Euro-centric concepts (the acknowledgment of individual rights combined with the more communitarian concept of the "consent of the governed", for example) upon a region and religion struggling to find its own voice in the post-colonial

---

[37] Charles Kurtzman, ed.*Liberal Islam: A Sourcebook*. (Oxford: Oxford University Press, 1998), p.5.
[38] Ibid, p.5.
[39] Ibid, pp.8-9.

era. Additionally, there is this filter of Islamic modernism to consider. Always the interpretation of previous texts occurs behind the scenes, so to speak, and is presented in its redacted and palatable (to the West!) form. Nowhere is there intense textual analysis in which the Arabic terminology is dissected and analyzed. This is a both a hindrance and an aid to the defender of Islamic democratic culture. Adversaries (predominantly, Islamists) will contend that Islam was never intended to include any references to democratic culture. Others, who defend the time-honored principles of consensus and fiqh (jurisprudence) will argue that Islam is a vibrant ideology that seeks to adapt itself to a variety of circumstances. This last point, of course, conveniently paves the way for modernism to adapt Islam to the present moment. Finally, unlike the Modernist literature, there is at least an attempt made here to regard the historical circumstances within which democratic debate occurred within the Islamic world. Historical events, such as the destruction of Baghdad in the thirteenth century and its profound effect upon the political discourse of the period, are specifically addressed in Muhammad Iqbal's chapter on the "structure of Islam."[40]

In *Constructive Critics, Hadith Literature and the Articulation of Sunni Islam: The Legacy of the Generation of Ibn Sa'd, Ibn Ma'in, and Ibn Hanbal*, Scott Lucas maintains that in determining the trajectory of Islamic governance and the process of Istihsan it is important to classify the types of Hadith and their respective disciplines. Sadly, this has been a methodology ignored in the west up until the publication of Lucas's work. Initially, the author uses a primary source (also the most accepted

[40] Ibid, p.257.

typology in the Muslim world), the *Muqadimma* of Ibn al-Salah, to begin the process of classification.[41] Lucas distinguishes three "grades" of Hadith, al-sahih (sound, authoritative), al-hasan (satisfactory), and al-da'if (weak unathoritative).

A key category that Lucas regards is the "art and technique of hadith transmission."[42] This category includes: Isnad (chain) examination, recognition of textual additions (the assumption here is that these additions are offered by "trustworthy" transmitters), and hadith-transmitter criticism.[43] The ways in which these types of hadith and their criticism developed, resulted in the turath, or "legacy", a medieval culture that determined the socio-political dimensions of Islam. Lucas studies this phenomenon in a later Chapter entitled "Classical Muslim Theory and Practice."[44] This process of classifying hadith and applying critical analyses, accompanied with an institutional study measuring their effect on the political power structures of medieval Islam, will be essential to my research. It might even provide a useful model for a similar process in the post 9-11 debate regarding democracy in Islam.

Roy's study ("Globalized Islam: The Search for a New Ummah") is a time-specific analysis of the effect that globalization has had on Muslims' identity vis-à-vis their relationship to their religion. No attempt is made to trace the historical scholarly debate regarding such problematic concepts as jihad; the term is used within the context of whatever a modern agent (Bin Laden, for example) chooses to define as its

---

41 Scott C. Lucas. *Constructive Critics, Hadith Literature and the Articulation of Sunni Islam: The Legacy of the Generation of Ibn Sa'd, Ibn Ma'in, and Ibn Hanbal.* (Boston: Brill, 2004), p.28

42 Ibid, p.31.

43 Ibid, p.31

44 Ibid, p.267.

parameters.[45] In an odd inverted way, Roy uses this methodology not as the orientalists do, to construct a contemporary snapshot of Islam and project its image backward to typify a historical model of Islam; rather, he establishes "Islamization" as a purely modern invention that responds to a globalized, western culture.[46] In a chapter entitled "Is Jihad Closer to Marx than the Koran?" Roy asserts that the arguments both justifying and condemning jihad as a political tool are sterile.[47] The significant aspect of this dialogue between the two, for Roy, is the fact that jihad is not, nor has it ever been, regarded as one of the five "pillars of Islam."[48] The author uses the failed attempt of a noted orientalist, Bernard Lewis, to prove that any parallel exists between modern terrorists and historical Islamic social movements to demonstrate how modern terrorists have borrowed more from the communist ethic than they have from their own religious traditions. In fact, Lewis's attempt to characterize the hashshashin (assassin) movement that preyed upon the Abassid power structure from the 8th-12th centuries as a terrorist movement embraced by "mainstream" Islam is reduced to nonsense given the heretical (Ismaili) orientation of those in the movement.[49] An interesting phenomenon that Roy notes is the way in which the politicization of Islam in states like Iran has produced a backlash among the religious community as they realize that the close proximity of the government essentially corrupts religion with all sorts of "secular" concerns.[50] In this way, there is a movement afoot to embrace "conservative Islamism", one that redefines

---

45 Oliver Roy. *Globalized Islam: The Search for a New Ummah*. (London: Hurst & Company, 2002), p.ix.
46 Roy, p.15.
47 Ibid, p.41.
48 Ibid, p.41.
49 Ibid, p.43.
50 Ibid, p.90.

the properly independent role of Islamic authority in society.[51] In particular, Roy's research will provide a valuable contribution to my chapter regarding the post 9-11 discourse within the Muslim community.

In *Tensions and Transitions in the Muslim World*, Safi notes the modern Islamic world's dearth of democratic regimes and contrasts this with a democratic "golden age" (the early umma) that eschewed secularism. Because secularism has been posited by some to be a prerequisite for democracy, many wonder if this "golden age" could have been democratic at all. In the words of the author, "Can democracy and pluralism—the two greatest political achievements of modernity—flourish in a society in which Islam and Islamic law command the allegiance of the majority?"[52] If orientalists can effectively create a link between Islam's past and contemporary Islamism, then Western scholars can continue to shake their heads in dismay at doomed attempts to graft an alien political process onto the culture of Islam. Two things must be true to hold to this position, however. First, it must be demonstrated that the non-secular past really was as undemocratic as the orientalists suggest. Secondly, it must be held that there was a correlation between the number of authoritarian regimes in the Muslim world and the rise of Islamism. This, of course, contradicted the trend of the pan-Arab movement, a nationalist movement that tempered western secularism with the centralized authoritarianism of the communist bloc. The author's discussion of "Islam and the State in Historical Muslim Society", however, is vague and one-sided; it presents one

---

[51] Ibid, p.92.

[52] Louay Safi. *Tensions and Transitions in the Muslim World*. (Dallas: University Press of America, 2003), p.3.

philosophic trend in Islam, namely that of the apologists, and provides the same type of "snapshot" perspective of an otherwise dynamic process that orientalists have offered.[53] This, of course, is the turath that the West remains blissfully ignorant of; nonetheless, to posit that one and only one interpretation of Islam is possible is both naïve and self-serving.

Safi narrows his focus a bit in the chapters dealing with social movements in Arab states. Noting that Islamism began transcending its original intellectual boundaries and spilling over into "populist" movements, Safi presents an issue that is a problem for process democrats who champion majoritarian will at the expense of liberal "autocracy"; it seems neither model satisfies the critic of Islamic government.[54] Those who focus on liberal rights and constitutional government aren't procedurally defined as democrats; those who prefer process over protection of minority rights hide authoritarianism behind the mask of democracy. The essential question should be: is there a process by which the two concepts (liberal rights and democratic procedure) can be enshrined in some organizational document (constitution) that provides a stable environment for representative government? Then again, those who advocate this model are excused as American chauvinists who seek to impose their model on a hostile Islamic community. Much of Safi's focus remains on liberal rights, however, in order to justify the requisite "political culture" that many in the West have denied is indigenous to Islam.

Finally, Lane and Redissi's research transcends the usual cultural misidentification of Islam as an Arab phenomenon, but ultimately falls back on some

---

[53] Ibid, p.13.
[54] Ibid, p.72.

commonly held Western assumptions regarding civil society. The focus of their study of the relationship between religion and politics in the Muslim world is divided into two: the Arab and the "non-Arab" world.[55] As quickly as the authors make this distinction, however, they "decompose" Muslim populations throughout the two environments and make generalizations.[56] According to the comparative data they present, "Muslim civilization is less developed economically and politically than the Western civilization or the Buddhist civilization."[57] After noting that "Almost all Muslim states were created in opposition to Occidental imperialism"[58], the authors muse "Why cannot Muslim societies settle down and embark upon a slow but steady advancement?"[59] A discussion of Islam and the "warrior ethic" ensues, with an admirable attempt by the authors to distinguish the development of philosophical and historical tradition in Islam from a universalist interpretation of the Qur'an. "It is vital," the authors suggest, "to identify the core of Islam without the concept of jihad…"[60] A promising chapter on faith and rationality, in which the authors compare such issues as predestination, predetermination, fatalism, and asceticism in the Islamic community with comparable issues in the West, falls short as the authors assume a fundamental condition for the existence of "post-modern society", namely that it "reveals the truth from below, through the countless interactions between groups and individuals…"[61]

---

[55] Jan Erik Lane & Hamadi Redissi. *Religion and Politics: Islam and Muslim Civilization*. (Burlington, VT: Ashgate Publishing Company, 2004), p.9.
[56] Lane and Redissi, p.11.
[57] Ibid, p.11.
[58] Ibid, p.10
[59] Ibid, p.13.
[60] Ibid, p.61
[61] Ibid, p.72.

This assumption betrays two biases on the part of the authors. First, it denies a dynamic process by which ordinary citizens in the Islamic polity helped to shape this conception of "truth". Intellectuals, scholars, and Imams, were not the sole agents of political Islam; popular social movements organized against imperialist occupations helped to define the ways in which the Qur'an was interpreted in an orthodox and exclusive manner that pushed the "infidels" out of their dominant positions. It did not simply reveal some underlying social truth about Islam; it helped to define it. Secondly, the authors thinks that the single most significant ideological development in the West, liberalism, was the product, not of "bottom up" interactions, but a realization of "natural law", an objective concept approachable through reason, yet as immutable as revealed religion. In this way, we can observe the phenomenon of liberal autocracy, the very opposite of what Fareed Zakaria calls "illiberal democracy" in the Muslim world.

This project augments such an academic approach by providing it with source material from various historical epochs that exemplify the various concepts that Muslims have debated from legal, philosophical, and ethical perspectives; sources that illustrate the vibrancy of democratic themes at various junctures.

Finally, Western attempts to distill democratic concepts from social context, that is to say, to perceive the establishment of democratic justice as a process not entirely based on norms, have something meaningful to contribute toward understanding various models (Chapter Six). These include the theoretical contributions of Jurgen Habermas and John Rawls. This dissertation, therefore, utilizes the contributions of Habermas's *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*

(Cambridge: Mass. MIT Press, 2001) and Rawls's *Political Liberalism* (New York: Columbia University Press, 1996). In answering Huntington, any researcher should possess a definition of democracy from which to assess its probability of success. In this case, the attempt will be made to sufficiently broaden its definition to include alternative models to western secular democracy.

The post-war environment in Iraq underscores the continuing philosophical debate regarding democratic ideals in Islam. The fault lines are not essentially Sunni-Shi'a, nor are they necessarily East vs. West. The parameters of Islamic democracy contain elements of a debate that has spanned centuries, indeed millennia, among Islamic scholars and religious authorities themselves. It is illustrative to note that within Iraq (a nation with significant Sunni and Shi'a populations) there is a struggle to define these parameters and that the advocates of a non-democratic Islam are either remnants of the previous secular authoritarian regime, foreign Islamists (extremists), or Western orientalists who continue to portray the East as singularly incapable of incorporating democratic values. Central to this last assertion is the fact that two Shi'a religious authorities in Iraq, the Ayatollah Sistani and Muqtada al-Sadr, interpret Islamic ideology, as it pertains to democratic society, in two very different ways. In any case, the struggle between either al-Sadr or the disaffected elements of the previous regime and democratic reformers in Iraq is partly defined by the importance of the undeniable factor of a U.S. presence in the region, and partly due to the historical discussion within Islam regarding themes of democracy and authoritarianism.

Chapter Three: Liberal Democracy in the Early Islamic Period?

Is Islamic ideology fundamentally incompatible with democracy? Recent events in the Middle East have resurrected a vibrant debate regarding the ability of Islamic ideology to formulate democratic values and to create institutional models in which these values find meaning and expression in the real world of politics. Indeed, criticism seemed inevitable regarding Huntington's theory of static culture, especially given the diverse history and traditions of the Middle East. A clearer articulation of Islamic democratic theory is required, however, in order to fully answer the critical voices that have emerged since Huntington's influential theory. This research begins with a theoretical assumption that social and political interaction refines conceptual frameworks in such a way that human needs are met through a variety of institutional models and that some of these are more aligned with democratic values than others. It will be the task of this project to illustrate the various democratic models and values that were conceived of throughout several epochs of Islamic political thought.

It is noted that two extreme models have been generally observed in the study of historical Islamic governance: that of decentralized "pseudo-democracies", and that of centralized authoritarian regimes. These two models were shaped by ideology. Ideology, in turn, was shaped by a variety of factors including philosophical debate, culture, ethnic diversity, socio-economic pressure, geographic expansion, and political necessity. The confluence of several of these factors has occasionally yielded highly democratic ideologies (not generally acknowledged by Western sources). Others have produced

authoritarian ideologies responsible for the most despotic and predatory of state models. The very fact that democratic ideologies have had only limited success in achieving their goals tells scholars much about the highly volatile environment in which these ideologies either flourish or flounder. Despite the predominance of democratic values as espoused by early Islamic political thinkers and philosophers, democratic ideology remained truncated, cut off as it were, by other prevailing factors. These factors created alternative interpretive frameworks which used many of the same early sources to form authoritarian institutions.

Nonetheless, the debate over democracy in Islam is a centuries-long phenomenon, perhaps a testament to Zakaria's perspective on democracy as a universal value. This debate finds parallels to western liberalism in Islam, and may yet provide useful models for the construction of democratic government in Islamic societies that articulate the preferences of non-western civil societies, providing necessary linkages to government based on traditional, or historical, modes of Islamic government. Arguably, this type of government would enjoy a greater level of legitimacy (and therefore, stability) than that of secular Arab nationalism. Consequently, the contemporary relevance of understanding the historical debate regarding Islamic democracy and the various factors that helped to shape it is profound.

But what do the historical sources have to contribute to this debate? If indeed, this a centuries-long dialogue, then the modern context of political struggles in the Islamic world must be set aside and a return to the sources from which the modern debate derives significance critically assessed.

In order to establish the various trajectories of the Islamic philosophical tradition, however, it is essential to critically evaluate its origins. First, it should be noted that the Qur'an , despite the most vigorous claims of those who defend its inerrancy, was not a unified text until the time of the third Caliph, Uthman, who in 651-52 C.E. commissioned a committee to resolve the differences between various extant texts. This was necessary because the work had been originally conceived as a recitation. The Prophet Muhammad had, through the course of his lifetime, relayed the details of his revelation to various members of his community. What this means is that there is no objective evidence that proves the contention that "Not a single word has been deleted from its text. The Book has been handed down to our age in its complete and original form since the time of Prophet Muhammad".[62] One must assume that the actions taken by the early Islamic community, although reflective of the nature of Muhammad's social vision, did not always correspond with later interpretations of Qur'anic verse; nor was it indicative of the debate regarding the various schools of thought that would determine the role of Hadith in exercising independent reasoning (ijtihad). In this regard, I have chosen to review the points made by Islamic scholars regarding Qur'anic literature, to undertake an analysis of the Prophet's Last Sermon, the Medinan Compact, and early Hadith (because of its widely accepted authority, I use al-Bukhari's collection). These will, hopefully, suggest a list of concepts debated by Muslim philosophers that will provide for us some ideal types from which we may begin to conceptualize the lineaments of an Islamic

[62] http://www.witness-pioneer.org/vil/Articles/quran/scriptq.htm

democracy. This list includes principles involving consent of the governed, pluralism, racial and gender equality, equity under the law, and civil disobedience.

Consensus and Consultation: Consent of the Governed?

Much has been made of the Prophet's decision **not** to name a successor upon his impending death. As the early Islamic community gathered together in both Meccan and Medinan camps to resolve the issue of leadership, it was acknowledged that, despite the spiritual dimension of Islam, Muhammad had clearly intended to establish a political community as well. As such, the methods by which a leader would be chosen to lead this community were crucial to the direction early Islamic political thought would take. Indeed, the distinction between spiritual and political authority would eventually become codified in the institutions of the early Caliphate and Immamate (originally one and the same).[63] Initially, however, it was essential to lay the foundations of Qur'anic legitimacy for a method of selection.

Many modern Islamic scholars have attempted to apply classic interpretive textual analysis to the Qur'an in order to defend their ideological commitment to democratic culture and pluralist society. Such attempts will be considered in the latter part of this paper. It is sufficient at this juncture only to note the fluid nature of Qur'anic exhortation and the various ways in which conceptual items could, given sufficient motivation, have been culled from Islam's holy book in order to construct democracy,

---

[63] Antony Black, *The History of Islamic Political Thought: From the Prophet to the Present*. (New York: Routledge, 2001), p.14. Black observes, "It was assumed, after Muhammad's death, that someone must succeed him in his role as Leader (Imam) of the community, as his Deputy (Caliph)." Thus, at least initially, the Immamate belonged to an individual by virtue of his selection as Caliph. Later distinctions between moral and political leadership would emerge.

much in the same way democracy evolved in the West despite the institutional design of European Christian theocracy.[64]

Initially, what were the exhortations contained in the Qur'an that indicate any of the possible identifiers of democracy? How could it be interpreted in such a way as to call for a government founded upon the consent of the governed? While it is important to note that Islam itself was founded upon complete "submission to God" and "entry into a covenant of peace", Islamic governance, although it was part of this act of submission, was predicated upon the idea of consensus (ijma) and consultation (shura).[65] Thus, although Islamic government was seen as ordained by God, it nonetheless included the popular election of political leaders who respected the natural (God-given) rights of citizens. The question remains, however, did early Islamic government contain these elements and mechanisms, and if so, from whence did they derive their legitimacy?

Surah 3:159 states, "So pass over (their faults) and ask for God's forgiveness for them; and consult them in affairs (of the moment). Then when thou hast taken a decision, put thy trust in God."[66] It is important to note two things in the preceding passage. First, the exhortation is put in context of a dialogue between competing parties. That is to say, this is not a general exhortation to gauge the general "will of the people" before making a political decision. It refers to the need for a leader to go to extraordinary lengths to

---

[64] The idea that Western culture had but one trajectory, toward democratic pluralism (replete with separation of church and state), has been roundly criticized by some, including Ira Lapidus in his "State and Religion in Islamic Societies", *Past and Present*, (an Oxford journal) v.151, May 1996, p.3. Lapidus adequately provides examples from history that exemplify a close church/state relationship in the West: the Anglican Church in England, for example: the Concordat in Italy, and the Catholic Church's role in Poland.

[65] Black, p.13.

[66] A.Yusef Ali, translator and commentary. *The Holy Qur'an*. (Brentwood, MD: Ammana Corp.1983), p.164.

consult his enemies (I use the term "his" in the context of the prevailing patriarchal politics of the day). Secondly, the passage puts initial emphasis on consultation and not "trust in God". This assumes that the wisdom of any political decision, if it is rightly guided and informed through consultation, will necessarily conform to the will of God. Similarly, Surah 42:36-38 reads, "Whatever ye are given (here)….it is for….those who hearken to their Lord ,and establish regular prayer; who conduct their affairs by mutual consultation, who spend out of what We bestow upon them for sustenance."[67]

The obvious questions must be asked: how widely was this conception of consultation applied in the early Islamic community? Was this intended to apply only to political elites, that is, tribal leaders and the Caliphic court, or did this envision popular participation in the political decision-making of the day? Certainly, the election of Muhammad's successors involved limited participation by Meccan political elites, however, this was arguably in response to the clamor of Medinans who sought representation via election of their own candidate.[68] In fact, the election of Abu Bakr says much about the democratic impetus of Islam, as it posits a much earlier development of democratic practice than existed in medieval England in the selection of leaders.

The dynamics of the process by which Muslim elites chose the successor to Muhammad is attested to in al-Bukhari's collection of Hadith:

> "…and the Ansar gathered together around Sa'd ibn Ubadah and said There shall be an amir from among us and an amir from among you (the Quraysh). Thereupon Abu Bakr and

---

[67] Ibid, p.1316-1317.

[68] Sydney Nettleton Fisher & William Oschenwald. *The Middle East: A History*, Fourth Edition. (New York: McGraw-Hill, 1990), p.37.

> Umar and Abu Ubaidah went to them and Umar intended to Speak, but Abu Bakr asked him to remain silent…then Abu Bakr spoke, and he spoke as the most eloquent of all people, And he said…they (the Quraysh) are the most exalted of all Arabs in position and the noblest of them as regards family: swear allegiance to Umar or Abu Ubaidah. Umar said, "Rather we swear allegiance to thee."[69]

Similarly, much of al-Bukhari is devoted to the notion that the Caliph regarded himself as an individual whose responsibilities included gauging the needs of the people (an idea that is entirely impractical if there are no adequate provisions made for the voicing of popular preferences).[70] Indeed, if there were no corridors of public discourse in the early Islamic community, then the general rule that the governed "be burdened only by what they can bear" was merely a vague philosophical notion. Modern Islamic scholars, such as Saad Eddin Ibrahim, fundamentally disagree with the notion that the early Islamic community was bereft of public debate.[71] Others remind us that this debate was seriously hampered by the lack of formal institutions.[72] Enough early textual evidence exists, however, to suggest that the early Caliphs were

---

[69] Bukhari, 62:6, referenced by Maulana Muhammad Ali. *A Manual of Hadith*, Second Edition. (London: Curzon Press, 1978), pp.399-400.

[70] Maulana Muhammad Ali, pp.403-408, as follows: "…and now I am occupied with the affairs of the Muslims, and so the family of Abu Bakr will eat out of this (public) treasury" (Bukhari, 34:15), "Yaman was divided into two parts; then he said, 'Be gentle (to the people) and make (them) rejoice and do not incite (them) to aversion." (Bukhari, 64:62), "You shall not wear fine clothes; and you shall not shut your doors against the needs of the people" (Mishkat, 17:1), provisions were to be made for the social care of the elderly and disabled, urban and rural populations, and equal taxation with the assent of the governed (see Bukhari 62:8 and note 16 of Ali).

[71] Ibrahim posits that in the early Islamic community (the community of Medina) a concentric view of Arab culture prevailed, with certain key actors (ulama, merchants, guilds, and religious orders and sects) at the center, or core of political administration, representing the needs of the periphery and exercising some influence on the policy-making process of central leadership (the Caliph).

[72] Black notes on p.14: "Societies which emerged out of the Islamic faith tended to be strong on communal groups but to have weak or transient political structures…the problems of a Prophetic polity without an agreed way of organizing itself became apparent in the divisions which tore the People apart from 656 to 661 (the first fitna: trial/civil war)."

instructed to be mindful of the necessity for two processes: popular assent (ijma) as transmitted through representative channels (to elites) and personal consultation (shura) based on a mixture of expertise and transmission of the popular will (via elites). Given the right "socio-historical" circumstances, such conceptual guidelines might have prevailed.

What assurances have we that Muhammad expected the Muslim community to engage in a discursive method to develop incipient concepts into full-blown democratic institutions? Posing the essential query of the Orientalists: Is not Islam a static set of beliefs, divinely ordained and immutably set on a course toward theocratic authoritarianism? The concluding words of the Prophet, attributed to him in "the last sermon" are significant:

> "O People, no prophet or apostle will come after me and no new faith will be born. Reason well, therefore, O People and understand my words which I convey to you. I leave behind me two things, the Quran and my example, the Sunnah, and if you follow these you will never go astray. All those who listen to me shall pass on my words to others, and those to others again; and may the last ones understand my words better than those who listen to me directly [italics added]."[73]

The concepts contained in the Qu'ran and Hadith, as an articulation of the "example" (Sunnah) set by the Prophet, cannot be fundamentally restructured to postulate a new revelation. They are left exposed to the discursive enterprise of the community in its attempt to adapt to changing circumstance. Certainly, this aspect of Islamic philosophy lent legitimacy to those who reinterpreted its precepts in the formulation of ideology in

[73] "The Last Sermon of the Prophet". Posted at http://oregonstate.edu/groups/msa/books/sermon.html.

the centuries to come. Nothing in incipient Islam, however, presupposes that the socio-historical forces to come necessitated a movement toward centralized theocratic authoritarianism. My point here is merely to observe the flexibility of the Prophet's philosophy, particularly in the formation of politics in the early Islamic era. This observation has profound implications for the Huntingtonian perspective that denies a democratic thread woven into the fabric of modern Islamic ideology.

Indeed, if Islam had been intended to impose a unitary, immutable authority upon pre-existing communities into which it sought entry, then the Median Charter presents a problem. The first umma (community) that the Prophet founded was in Medina, an urban center with a considerable Jewish population. Granted, in the formative stages of the Islamic polity Muhammad could ill afford to make enemies; indeed, the struggle against the Quraysh was challenge enough. Simple expedience, however, doesn't explain the lengths to which the Muslims sought to appeal to the Jewish populations of Medina. A formal document (the Charter of Medina) was drafted in 622 C.E. to define the rights and obligations of the two communities. Much has been made, by orientalists, of a specific clause in this agreement that allegedly establishes the primacy of a theocracy: "Whenever you differ about a matter it must be referred to God and to Muhammad."[74] The primary referral to God, however, is aptly put in the context of a dialogue between two religious groups, Muslims and Jews, to whom this appeal would have been immanently acceptable. It should also be remembered that this document was written during the lifetime of Muhammad and, as such, the latter reference (to the Prophet) articulated the need to bring

[74] "The Medinan Charter.", clause 23. Taken from A. Guillaume, *The Life of Muhammad—A Translation of Ishaq's Sirat Rasul Allah* (Karachi: Oxford University Press, 1955), pp.231-233.

matters of jurisprudence before the leader of the proposed community. Indeed, the notion that God is the keystone of the document (explicitly established by the verse: "God approves of this document") approaches Western concepts regarding the sanctity of constitutions (particularly in America), whereby natural rights, bestowed by God, are enshrined in relatively static political documents.[75] More will be said about this in a concluding section in which a comparative approach will appraise the commonalities between Eastern and Western political thought. It is perhaps more profound that in clause 37 of the document both parties are charged to "…seek mutual advice and consultation."[76] If Muslims were to refer to the Prophet and his sayings as a definitive body of political (as well as spiritual) guidelines, it seems clear that enough conceptual fodder was contained in those sources to legitimate the emergence of democratic institutions in Islamic governance.

Pluralism or Exclusivism in the Garden of Eden?

What can be said of the pluralistic trajectory of early Islamic political thought? Obviously, the stereotypical view of Islam as a religion "spread by the sword" contradicts notions of tolerance that might be attributed to its early impetus. In this regard, a serious distinction must first be made between the religious idea of exclusivism, as it was expressed in the Qur'an, the moral concept of voluntary submission to God that necessitated tolerance, and the social reality of diversity that was grasped by the political leadership of the day.

---

75 Ibid, clause 46, p.231-233.
76 Ibid, pp.231-233.

Surely, Muhammad's spiritual revelation was beyond dispute among his followers. No faithful Muslim would have questioned the veracity of the Prophet's message as a final expression of divine truth. Surah 3:4 assures the final judgment of those who disagree with the Prophet's message, "Then those who reject faith in the signs of God will suffer the severest penalty, and in God is exalted in might, Lord of Retribution."[77] This refers to a spiritual judgment, however, and must be distinguished from other Qur'anic passages that orientalists have employed to infer that worldly (political) judgment should conform to the same principle. It is entirely possible, however, that a political exclusivism has been mistakenly found here.[78] In this regard, translation becomes an essential tool in understanding the diverse ways in which the crucial passages have been regarded within the Islamic community. For example, in assessing Qur'anic themes regarding consultation, I have relied upon A. Yusuf Ali's translation. The most widely read translation of the Qur'an in the West, however, is Dawood's. Ali and Dawood provide two essentially contradictory portraits of the political dimensions of pluralism and tolerance in Islam. For example, compare Surah 2:191-193 in the two translations mentioned. Dawood's version clearly imposes God's spiritual judgment of non-Muslims upon the political activity of the community:

> Slay them wherever you find them. Drive them out of the places from which they drove you. Idolatry is more grevious than bloodshed….fight them until idolatry is no more and God's religion reigns supreme. But if they

---

77 A. Yusuf Ali, *The Holy Quran*, p.122.

78 Ibid, p.350. Surah 7:39 states, "Then the first will say to the last: See then! No advantage have thee over us; so taste ye of the penalty for all that ye did." This infers the necessity of good government and acceptance of diverse interests in society. Taken in tandem with the previous exhortations to mind the popular will, this early emphasis had the potential impact of blossoming (given favorable historical circumstances) into full-blown pluralistic/democratic institutions.

> desist, fight none except the evil-doers [italics added].[79]

Ali's version has a more political relevance, absent spiritual judgment:

> And slay them wherever ye catch them, and turn them from where they have turned you out. For tumult and oppression are worse than slaughter….and fight them on until there is no more tumult or oppression and there prevail justice and faith in God; but if they cease, let there be no hostility except to those who practice oppression [italics added].[80]

The significant conceptual item in the comparison of these two translations is the state of war that exists between the Muslim and the idolator/oppressor. The clarifying agent, however, is the description of the object in the passage as either an idolator or oppressor. Given the historical context that Islamic scholars such as Moulaui Chiragh Ali (1844-1895) have assigned the passage, however, this state of war approaches Lockian dimensions, in which the aggressor forfeits all rights, even to the point of slavery (accepting, of course, the presupposition of a right to subsistence).[81] The connection between Qur'anic interpretation and context within social processes occurring within history is also taken up by Talal Asad:

> "If religious symbols are to be taken as the signatures of sacred text, can we know what they mean without regard to the social disciplines by which their correct reading is secured? If religious symbols are to be thought of as the concepts by which experiences are organized, can we say much about them without considering how they come to be

---

79 N.J. Dawood, translator. *The Koran.* (London: Penguin Books, 1994), p.29.

80 A. Yusuf Ali, *The Holy Quran*, p.76.

81 Moulavi Chiragh.Ali, *A Critical Exposition of the Popular Jihad*. (Calcutta: Thacker, Spink and Co, 1885). Ali describes the idolators in the crucial passage, in their historical context, as the agents of Quraysh opposition and oppression. Indeed these are the very same agents that suppressed Muhammad in Mecca and drove him from the city under threat of military action. Subsequently, the Quraysh violated the truce established between the two parties, resulting in renewed hostilities. Thus, the struggle of Muslims against these agents is expressed in terms of a "defense of liberty" (hence the Lockean comparison), not in a general call to action against all who reject Islam.

authorized?"[82]

This is important for two reasons. First, despite the historical Islamic protection of dhimmi (protected) non-Muslim communities, western sources have occasionally interpreted this to have reflected either an element of political practicality, rather than an ideological commitment to pluralism, or an outright abrogation of "full citizenship".[83] Huntington may be right that Western universalism is inapplicable here, and that pluralism in Islam infers an entirely different set of priorities; nonetheless, the mere acceptance of diversity and the need to respond politically to the will of minority populations can arguably lay the conceptual groundwork for the emergence of democratic institutions. The second reason has, perhaps, more significant implications for Huntington's theory of post-Cold War international relations: if non-Muslim populations can peacefully reside within Islamic borders, then the distinction between dar al-Islam (the abode of peace) and dar al-harb (the abode of war), relates not to an actual geographic state of conflict, rather, it pertains to the winning of "hearts and minds" (via un-coerced conversion) of populations within, and protected by, the Islamic polity. This might help to explain the way in which "freedom of thought (conscience)" is interpreted in Arabic as shirking.[84] As such, shirking is not considered a noble act, but one that is

---

[82] Talal Asad, *Genealogies of Religion: Disciplines of Reason in Power in Christianity and Islam*, (Maryland: Johns Hopkins Press, 1993), p.53.

[83] John Esposito and John O. Voll, *Islam and Democracy*. (New York: Oxford University Press, 1996), p.188. The conflict between "extremists" and Sadat in Egypt produced a demand by extremists that non-Muslims be accorded dhimmi status rather than "full citizenship". The problem with this distinction is that is relies on a particular political agenda and its interpretation of a conceptual item (dhimmi-tude). Obviously, traditional Egytian politics (arguably inspired by Western secularism) had construed this same concept to approach pluralistic citenzenship. This process underlies the tension that has existed throughout Islamic history between political theory and ideology.

[84] Fatima Mernissi, *Islam and Democracy: Fear of the Modern World*. (New York: Addison-Wesley Publishing Company, 1992), p.86.

voluntary ("there is no compulsion in religion"), and consequently, allowed under Islamic law.[85]

An important distinction, therefore, must be made regarding Western and Islamic perceptions of jihad. "Holy War", as it understood in the West, has historically been employed to extend the geographical boundaries of Islamic governance and subject non-Muslim populations to coercive measures of conversion. The political interpretation of jihad, however, arguably arose as a result of the re-structuring of ideology contingent on specific intervening socio-historical variables (such as competition for scarce resources). It is important to note that the dynamic involved in the politicization of "holy war" is not one alien to either the Judaic or Christian tradition, or endemic to Islam.[86] It is sufficient merely to restate the most relevant understanding of jihad to the vast majority of modern Muslims, an understanding informed by the historical circumstances of Muhammad's conflict with the Quraysh: jihad as a "struggle" internally against sin (greater jihad) and externally against "oppression" (lesser jihad).[87] The clearest articulation of this principle can be found in Surah 22:78: "And strive in His cause as ye ought to strive, (with sincerity and under discipline)…So establish regular prayer, give regular charity, and hold fast to God!".[88] More will be said about the reliance on jihadist themes in the second chapter on early expansion.

---

85 A. Yusuf Ali, *The Holy Qur'an,* 2:56, p.103.

86 Robert Brown "Holy War as an Instrument of Theocratic and Social Ideology in Judaic, Christian, and Islamic History", (Master's Thesis, California State University, San Bernardino, 1997).

87 Carolyn Fluehr-Lobban, ed. *Against Islamic Extremism: The Writings of Muhammad Sa'id al-Ashmawy*. (Gainesville, FLA: University Press of Florida, 1998), p.129.

88 A Yusuf Ali, *The Holy Qur'an*, p.872.

Hadith literature, as well, has historically articulated incipient pluralistic themes. In particular, the contributions of all under the jurisdiction of Islamic governance were welcome. Muslim rulers were encouraged to view a chorus of diverse voices as crucial to the perfection of knowledge and wisdom in society.[89] The personal property of minority populations was protected under Islamic governance and conflict mandated only in reaction to those who did not heed public order and political cohesion.[90] This understanding of minority rights, of course, was only extended to "the people of the Book" because of the perceived continuity of monotheistic culture. That is to say, Muslims regarded their set of religious principles as a culmination of the monotheistic tradition; subsequently, they regarded Christianity and Judaism with some degree of toleration. Does this mean, then, that Islamic pluralism is necessarily circumscribed by the mere acknowledgement of a common heritage? The evolutionary nature of ideology and the way in which it both shapes and conforms to political theory seems to indicate otherwise. "There is no compulsion in religion" became the rhetorical rallying cry behind which reform was mustered in the Islamic community.

---

[89] Hadith attributed to Mishkat (2:1): "People are mines like mines of gold and silver; the more excellent of them in the days of ignorance are the more excellent of them in Islam when they attain knowledge." (Maulana Muhammad Ali. P.37).

[90] Al-Bukhari's Hadith: "I have been commanded that I should fight these people till they bear witness that there is no God but Allah and keep up prayer and pay zakat [tax]. When they do this, their property shall be safe with me except as Islam requires, and their reckoning is with Allah." (Maulana Muhammad Ali, p.265). Although a cursory reading of this seems to infer a more extreme opposition to minority populations, the editor is careful to put it in the context of Qur'anic precedence: "…the command to fight is contained in the Qur'an in the following words: 'And fight in the way of Allah with those who fight with you and do not exceed this limit' (v.5). Muslims, therefore, could not resort to fighting unless an enemy was the first to resume hostilities." (Maulana Muhammad Ali, p.265). Fighting is to cease when all parties have accepted "Islam" (synonymous with an Islamic "system" that made provisions for the protection of minority faiths).

Indeed, both the Prophet's last sermon and the Medinan Charter confirm an early acknowledgement of this ethic: "Hurt no one so that no one may hurt you…..You will neither inflict nor suffer inequity".[91] Surely, this exhortation can be explained as an appeal for personal morality, much like the Christian call to "pray for your enemies." Such appeals, however limited though they may be in scope, often lead to broader applications in society.

The Medinan Charter, although it does not presume to determine a set of natural rights bestowed by God, nonetheless explicitly extends an equal distribution of rights to Muslim and non-Muslim alike: "The Jews…are one community with the believers (The Jews have their religion and the Muslims have theirs)."[92] Also implicit in this statement is an articulation of inclusion and an acknowledgement of diversity indicative of an Islamic pluralism. Pluralism and equality, in the case of Islamic democratic theory, were important in establishing the political rights of a diverse population.

Equality as a Divinely Revealed Attribute?

Perhaps Islam has not been so straightforward in defining the natural rights of its citizens; however, the same cannot be said for the question of a related concept: equality. To be sure, religious expressions of equality emphasize different dimensions than those apparent in political discourse. Often, equality before God does not necessarily imply social equality before men; this is also true in the reverse. Noting the fluidity of political discourse, however, dependent as it is upon precedent and interpretation, themes of

---

91 "The Last Sermon of the Prophet". Posted at http://oregonstate.edu/groups/msa/books/sermon.html.

92 "The Medinan Charter, clause 25. A. Guillaume, *The Life of Muhammad—A Translation of Ishaq's Sirat Rasul Allah* (Karachi: Oxford University Press, 1955), pp.231-233.

equality easily pass from one realm to the other, the political dimension often supplanting and redefining its precedent. In this way, simple religious pronouncements of equality can form the basis for subsequent profound political and legal permutations of the original concept.

Qur'anic statements intended to establish an equal footing between Muslims and non-Muslims before God simply don't exist: Judaism and Christianity are explicitly condemned as aberrations from divine truth; nonetheless Islam provides for their social/political equality.[93] This is a curious inversion of the process noted in the Christian West: universal equality before God (in capacity, if not status), yet acknowledgement of social inequality (historically cemented in religious/denominational differences). In Islam, the differences between Muslim and non-Muslim essentially influence one's individual capacity to comprehend truth and, therefore, the status one enjoys with God. Whereas Christians (both predestinationists and proponents of free will) acknowledge the equal distribution of the ability to reason among humans, this does not lead to a social construction of legal/political equality. For Muslims, however, the "infidel's" failure to comprehend, via reason, God's "truth" for humankind is no excuse to deny him equal protections under Islamic law.

---

[93] A. Yusuf Ali, *The Holy Qur'an*, 4:51-69. These verses question the worthiness of Jews and Christians in the sight of God, equating their activities to "sorcery and evil" (p.196). The question is also asked "Have they a share in dominion or power? [given they have contributed] not a farthing to their fellow-men." (p.196). Interestingly, this query goes unanswered until it is asserted that when judging "between man and man" Muslims should "judge with justice", referring it "to God and His Apostle" (p.198). "Those men [non-Muslims] God knows what is in their hearts", therefore, Muslims are to "keep clear of them, but admonish them." (p.199). The injunction is not to oppress or subjugate them (and indeed the Qur'an acknowledges that, during the early ascension of Islam to prominence, non-Muslims were dispossessed of neither life nor property) for after all, Muslims "should have shown them the straight way" (p.200).

Nonetheless, themes of racial and gender equality as well as equal protection under the law were clearly established in the early Islamic umma, most notably in the several sources (Qur'an, Hadith, the Prophet's Last Sermon, and the Medinan Compact) we have been considering. Certainly, the Qur'an envisioned a common past that united all human societies: "Mankind was a single nation, and God sent messengers with glad tidings and warnings…"[94] This acknowledgment, however, doesn't infer a set of equal rights to the extent that subsequent verses do. "O Mankind!", verse 4:1 declares, "Reverence your Guardian-Lord, who created you from a single person, created of like nature, his mate and from them scattered (like seeds) countless men and women—Reverence God, through whom ye demand your mutual rights."[95] Once again, has this ideal become cemented in Islamic politics via ideology? As will be discussed below, at specific periods, given changing foci of power (Mecca, Damascus, Baghdad, Cairo, Istanbul), different social/political environments and institutional arrangements provided for a greater or lesser degree of compliance with this essentially democratic value articulated in Islamic political theory. Suffice it to say that as such environments and arrangements shifted, ideological reinterpretation did not always favor the equal application of law.

For Muhammad, the question was one of immediate importance, however. The very survival of his fledgling community hinged on its capacity to work cooperatively with important non-Muslim populations in the region. With significant Christian and Jewish minorities in Medina and other towns, the Byzantine Empire to the north, the

---

94 A. Yusuf Ali, *The Holy Qur'an*, 2:213 (p.83).
95 Ibid, p.178.

Zoroastrian Sassanids to the east, and surrounded by Arab polytheists, a policy of confrontation seemed ill-advised. Significant truces were struck with the Meccan clans, providing the Medinan community with a respite from hostilities. The apparent violation of these truces produced the conflict reflected in verses 2:191-193 of the Qur'an (the exhortation to "slay the idolators"). Reflecting Qur'anic themes of the original unity of humankind, Muhammad proclaimed the community in Medina, Muslim and non-Muslim alike, "one community to the exclusion of all men."[96] He also acknowledged racial equality before God:

> "All mankind is from Adam and Eve, an Arab has no superiority over a non-Arab, nor a non-Arab has superiority over an Arab; also, a white has no superiority over a black, nor a black any superiority over white except by piety and good action [italics added]…."[97]

This establishes a community predicated not only on racial equality but consciously designed as a meritocracy. This is reaffirmed by the Hadith: "Hear and obey a Negro whose head is like a raisin appointed (to rule over you)."[98] Indeed, any question regarding the fair and equitable distributions of rights under Islamic law was firmly resolved in the Medinan Charter: "To the Jew who follows us belong help and equality…conditions must be fair and equitable to all…the Jews of the B. Auf are one community with the believers…Every one shall have his portion…The Jews of al-Aus, their freedmen and their themselves have the same standing with the people of this document [italics added]."[99]

---

[96] "The Medinan Charter", clause 2.
[97] "The Prophet's Last Sermon", p.2.
[98] Maulana Ali, p.395 (al-Bukhari, 10:54).
[99] "The Medinan Charter", clauses 16, 17, 25, 45, & 46, respectively.

Muhammad clearly envisioned a society that emphasized a sense of gender quality, as well:

> "O People it is true that you have certain rights with regard to your women, but they also have rights over you. And if they abide by your right then to them belongs the right to be fed and clothed in kindness. Do treat your women well and be kind to them for they are your partners and committed helpers."[100]

The prophet goes on to infer such patriarchal prerogatives as the right to approve the type of persons with which a wife may associate, as well as the power to forbid adultery (after all the passage is directed at a male audience), however, nowhere is it explicitly stated that these prerogatives are exclusively reserved for the male partner in a marriage contract; indeed, it may be assumed that either marriage partner regularly availed themselves of the right to approve of extra-familial contacts. To be sure, these provisions clearly established a set of gender-rights that transcended any discussion devoted to comparable themes in the American Constitution. Given the pre-Islamic tribal treatment of women, in which concubinage and the chattel status of women were affirmed, the Prophet's efforts largely liberalized traditional Arab society.[101]

It can be definitely stated that women's inheritance rights were significantly enhanced by incipient Islamic theory, from the Qu'ran onward: "And give women their dowry as a free gift, but if of their own free will they kindly give up ought thereof to you, then enjoy it as convenient and profitable."[102] Such passages do not reflect an absolute gain for women in Arab society (certainly, male physical superiority was affirmed), however relative gains were also important.

---

[100] "The Prophet's Last Sermon", p.2.

[101] Moulavi Chiragh Ali, "Islamic Modernism and the Issue of Women" included in *Contemporary Debates in Islam: An Anthology of Modernist and Fundamentalist Thought*, Mansoor Moaddel & Kamran Talattof, editors. (New York: St. Martin's Press, 2000), p.146.

[102] Ibid, p.147.

The Right of Civil Disobedience

For many, this remains perhaps the most problematic topic in Islamic political theory. How can it be conceivable that it is permissible to disobey the leader of a religious community that affirms its God-centeredness? Is not God an objective truth, His community the bearer of universal, immutable wisdom? In order to understand Islamic civil disobedience, one must accept two premises. First, as previously mentioned, the community is at once both religious and political; Muhammad understood this, he made no provisions for a divinely appointed heir to his position in the community. Had this been a true theocracy, legitimate spiritual/temporal power would have handed down to a successor. Instead, elections were held. Secondly, the hand of God in politics notwithstanding, the early Islamic community had to be aware of the potential for human error, for the possibility that a truly bad leader could be chosen. Indeed, it would not be long before the Arab world would be thrown into civil war between the supporters of Ali and the unscrupulous Yazid, heir of Muawiyah. Yazid was hated widely for his immoral behavior and poor policies. For this reason, much of the early Islamic literature regarding civil disobedience emerges out of the period of Hadith, during which the community had the practical experience of coping with poor leadership. This is not to say that such Hadith were manufactured in response to political events; rather, it is possible to envision a set of authors who stress certain "sayings of the Prophet" at such times because of the developing crisis.

Al-Bukhari notes, "To hear and obey (the authorities) is binding, so long as one is not commanded to disobey (God); when one is commanded to disobey (God), he shall

not hear or obey."[103] In subsequent passages, he goes on to assert, "Obedience is due only in that which is good." [104] This trend is continued in the Tirmidhi Mishkat Hadith, "The most excellent jihad is the uttering of truth in the presence of an unjust ruler."[105] For many, in particular, the Shi'at Ali (Party of Ali), such exhortations provided the impetus for their political opposition to the Caliphate in Damascus. This, of course, would lead to the eventual fracturing of Islam into Sunni and Shi'ite traditions, an event with profound implications for both the political administration of an Islamic polity and the ability of western scholars to identify a monolithic Islam from which to extrapolate a singular political trend leaning toward authoritarianism. This would confound modernists who regarded the curious mixture of Islamic traditionalism and representative legislative institutions in post-revolutionary Iran with no small amount of confusion. Surely, Iran was either a theocracy, or a democracy, not both! The answer to this dilemma surely lies in understanding that political systems can contain mixtures of traditional and democratic features.

Our western secular bias leads us to disdain all such mixtures, in the east and in the west, and seeks to impose its own typology on regions of the world where such mixtures actually make sense. This may be why Huntington concludes that democracy (as we understand it in the west), is neither universal nor possible in the Middle East. Nothing typifies this western confusion more than the discourse regarding the development of civil society in non-western states. Too often, western measures of civil-

---

103 Moulana Ali, p.395-6, (al-Bukhari, 56:108).
104 Ibid, p.397, (al-Bukhari, 64:61)
105 Ibid, p.398, (Tr-Msh. 17).

society (trade unions, professional organizations, etc.) dominate the debate. Minimally, however, it might be useful to simply measure civil society in the Middle East by the amount of public space dominated by voluntary associations, perhaps even in the context of both informal and formal involuntary groupings (family, religious groups, tribal networks, etc).

Very few scholars would disagree with the notion that civil society has been severely circumscribed by the culture of centralized authoritarian leadership in most modern Middle East states. Indeed, even the extremist ideologies of Islamist organizations envision a society with public space reserved only for groups into which individual membership has been determined by birth (the Muslim umma, or community). To maintain, however, that religiously affiliated groups do not possess the potential for expansion into more inclusive bodies denies the trajectory of civil society in Western history as well.

In conclusion, what is evident is that many of the same cultural processes have been in operation in the east and in the west, though perhaps not simultaneously. As these cultural trends have passed religious institutions down to new generations, these institutions have shaped the political culture. Institutions, however, are not static, nor have they ever have been. Institutions survive only if they work to meet the needs of people living in societies. If they do not, they change, adapt. As the institutions under the Christian culture of Europe transformed from a rigid hierarchical, feudal, autocratic system into a capitalistic, democratic meritocracy, so did Islamic society in the east.

Chapter Four:
Early Expansion and Establishment of the Caliphate

What is clear from the historical record is that the election of the prophet's successor occurred before many of the extended debates over Qur'anic interpretation occurred. In fact, this event defined the political processes of the community long before the authoritative text of the Qur'an was ever established. What is the significance of this observation? First, it makes any claim upon tradition highly speculative and arbitrary. The modern lexicon that brands some as "fundamentalists" assumes that self-styled traditionalist modern movements are indeed rooted in Islamic traditions, when in fact they may be based on one interpretation of Qur'an or another, each antedating the modes of political behavior conceived of in the lifetime of the Prophet. Despite the more sophisticated argument that democratic discourse does not necessarily ensure codification of human rights, what can be gleaned from the early period is that some form of representational democratic process (after all it was tribal leaders who took part in the election) was in place to determine political leadership. We know that there was a distinction between political and spiritual leadership that defined the duties of the Caliphate because of Muhammad's own injunction that there would no prophet other than himself.[106]

But what were the political features of this polity? How was it governed and how did political leaders regard the sources of authority? In a seminal article included in

---

[106] The Last Sermon of the Prophet", posted at http://oregonstate.edu/groups/msa/books/sermon.html

Augustus Richard Norton's Civil Society in the Middle East, Saad Eddin Ibrahim posits that in the early Islamic community (the community of Medina) a concentric view of Arab culture prevailed, with certain key actors (ulama, merchants, guilds, and religious orders and sects) at the center, or core of political administration, representing the needs of the periphery and exercising some influence on the policy-making process of central leadership, the Caliph, who wielded political and administrative power, i.e., the power to collect taxes, apply justice, (through Shari'ah law), maintain public order, provide for the defense of the community, and occasionally patronize the arts and sciences. [107] He performed these duties with a measure of advisory assistance (shura, or consultation) from the groups at the core of this concentric arrangement of Arab society. At the periphery lay tribal groups and peasants who enjoyed a high level of autonomy in regard to the functioning of local economies. According to Ibrahim's hypothesis, this system worked highly effectively within the context of Islamic culture, which represented more of a civic culture and less of a simple religious concept.

The Wars of the Riddah

This period of Medinan Islam underwent radical reshaping upon the death of the Prophet and the transfer of power to the Meccan tribes under the leadership of Abu Bakr. Meccan interests had always been economic; the powerful Huraysh tribe had dominated the pre-Islamic pilgrimage economy that brought wealth and prestige to the city. Consequently, Abu Bakr embarked on an ambitious military campaign, the wars of the Riddah (632-634 C.E.), to subdue the once loyal neighboring tribes and bring them under

[107] Saad Eddin Ibrahim "Civil Society and Prospects of Democratization in the Arab World" in *Civil Society in the Middle East,* Augustus Richard Norton, ed. (New York: E.J. Brill, 1995), p.31-32.

the expanding economic influence of the Islamic community.[108] Although these tribes were apostates from Islam, they also refused to submit to the zakat, or non-Muslim tax, a development that had much more of an impact on the political viability of the early Islamic community. Bernard Lewis's contention that there was never a clearly defined delineation between religious and secular reasoning in Islam helps to explain the mixture of politico-religious motives that drove the wars of the riddah. It is not clear, however, whether Abu Bakr initiated the hostilities or whether he was responding to provocation or even outright rebellion in some cases. What is certain is that his political authority was essentially challenged by groups once under the auspices of Islamic governance (rendering the dispute primarily a political struggle) and, it should be noted, the poetry produced (by both sides) during this period produced taunts (fakhr) and messages intended to provoke and incite (tahrid).[109] Not only did the political rivals to Abu Bakr's reign, many of whom appeared as "prophets", advocate active opposition, they preached open insurrection.[110] Despite all the sectarian trappings, it is difficult to elevate this early

---

[108] Fred McGraw Donner, *The Early Islamic Conquests*. (Princeton: Princeton University Press, 1981), p.85.

[109] Muhammad Izhar Ul-Haq. "Poetry of the Riddah Wars: Its Literary, Political, and Religious Aspects" Dissertation Manuscript for the Ph.D. degree, Indiana University, 1998.

[110] Donner, p.85. Donner notes:

> "This category included the rebellion of B. Asad in the Najd, led by the 'false prophet' Talha b. Khalid, the opposition of the B. Hanifah in al-Yamama, led by the 'false prophet' Maslama b. Hadid, the movement of parts of B. Tamim and B. Taghlib in northeastern Arabis, led by the 'false prophetess' Sajah, who ultimately joined forces with Maslama and the B. Hanifah, and the rising of the B. Ans in the Yemen, led by Al-Aswad al, Ansi, who also claimed prophethood."

Aside from noting that the challenges were initiated by these leaders in rebellion against Abu Bakr's reign and that they were primarily articulated in religious ideologies, another interesting fact stands out from this account; namely that women (as exemplified by the prophetess Sajah) played an active role in religious teaching and political activism in the early Islamic community.

challenge to the political authority of a non-Medinan Muslim to the level of a jihad (in the context of orientalist interpretation, i.e. spreading Islam by the sword); although reliance on Qur'anic exhortations to defend the well-being of the community (as determined by the political leadership) did confer divine favor upon the combatants. Whereas geographic expansion, during the early forays into mostly Arab regions, had largely been a feature of tribal competition (an extension of the pre-Islam razzia) over resources and the attempt to unify the tribes under stable political leadership, now that Islam had reached these areas; tribes who chafed at the idea of Abu Bakr's leadership had initiated a campaign of secession from the Islamic polity.[111] Essentially then, these were wars of political consolidation. Even the Prophet Muhammad himself viewed the practical necessities of armed conflict to be outside the rules of religious ideology; his infamous interception of the caravan at Nakhla involved minimal violence and it most certainly did not involve any Qur'anic exhortation to jihad.[112]

This is not to say that jihad (the spiritual concept of holy struggle) was a concept that wasn't immediately accessible and adaptable to the necessities of secular warfare. The lessons of the riddah were not lost on the political leadership in Meccah. Soon, Abu

---

[111] The razzia, or caravan raid, has been well documented by several scholars. Albert Hourani, in *History of the Arab Peoples* (New York: Warner Books, 1992), p.10, asserts that the razzia allowed bedouins to "dominate cultivators and craftsmen." This was a traditional feature of urban vs. pastoral interests in Pre-Islamic Arabia that allowed groups to compete over scant resources. *The Cambridge History of Islam*, Holt, ed., on the other hand, likens the razzia to "a kind of sport" (p.42).

[112] *The Cambridge History of Islam*, v.1, pp.42-43. describes Muhammad's actions at Nakhla in complete accordance with the features of a traditional razzia:

> Severe fighting was usually avoided, for the favorite tactic was to pounce unexpectedly on an isolated party of herdsmen with force so overwhelming that resistance was pointless… They [Muhammad's men] decided to act during the sacred month, and quickly overpowered the guards, killing one and taking two prisoners.

Bakr's political ambitions challenged Byzantine interests in Syria and the declining power of Persia in the east.[113] Muhammad was a mere nuisance to the Byzantines with his ill-fated Mutah campaign; it was clear that it was only intended to bring back enough supplies to fulfill his obligations to the ashab al-suffah (see Appendix A). A Syrian campaign was practically unavoidable; since the rise of Islam and the wars of the riddah, Byzantine interests had been drawn south by Abu Bakr's armies and imperial forces were sent to protect Palestine and its capital, Jerusalem.[114] By 630 C.E., the Byzantines had recovered their Syrian holdings from Sassanid (Persian) control.[115] This effort had left the imperial coffers depleted; consequently, in order to avoid problems in the south, Byzantine alliances were made with the Arab tribes of Syria that threatened the political cohesion of the newly emerging Islamic polity.[116] Abu Bakr ordered a series of raids against the northern Arab tribes and imperial armies that opposed him.[117] In a series of improbable victories, the most notable at Ajnadayn in 634 C.E., Abu Bakr's forces flooded into Palestine.

The case for establishing an early conception of jihad during these campaigns as a method of religious conversion, however, has been overstated. There were plenty of reasons for a Syrian campaign that had nothing to do, even peripherally, with religion. Extensive mercantile interests between the Meccan and Syrian economies had existed for

---

113 Friedrich Wilhelm Fernau, *Moslems on the March* (New York: Alred A Knopf, 1954), p.25.
114 Ira Lapidus, *A History of Islamic Societies*, (Cambridge, England: Cambridge University Press, 1988), p.25.
115 Donner, p.111.
116 Fisher and Oschenwald, p.12.
117 Ibid, p. 38.

quite some time.[118] Also, there was a political advantage to be gained in Palestine by a policy of conquest; the extension of an Islamic system of tribal alliances throughout the region would effectively counterbalance the still-powerful center of Byzantine hegemony.[119] In order to illustrate how the West has interpreted Qur'anic exhortations to battle, in order to make them appear that these early campaigns were wars of religious ideology waged against non-Muslims throughout the region, Andrew Bostom. author of The Legacy of Jihad, quotes Richard Bell in maintaining that "Sura 9 is a chapter of war proclamations" and that verses 9:29 to 9:35 "form in effect a proclamation of war against Jews and Christians".[120]

> "Then, when the sacred months have passed, slay the idolaters wherever ye find them, and take them (captive), and besiege them, and prepare for them each ambush. But if they repent and establish worship and pay the poor-due, then leave their way free. Lo! Allah is Forgiving, Merciful."[121]

In reality, the major thrust of the Sura in question is one that attempts to achieve two objectives: to map out a military strategy by which the hostilities of the Quraysh (the idolaters) could be effectively countered and a political strategy with which the Islamic community might rule over diverse populations. Regarding the first point, Chouragh Ali's suggestion that lack of appreciation of historical context, and the light it sheds upon the interpretation of such suras, is worth considering. Given the level of hostility directed

---

118 Donner, p.96.
119 Ibid, p.98.
120 Andrew Bostom, *The Legacy of Jihad: Islamic Holy War and the Fate of Non-Muslims*. (Amherst, NY: Prometheus Books, 2005), p.25.
121 William Marmaduke Pickthall. *The Glorious Koran*. (Albany: State University of New York Press, 1976), Sura 9:5.

at the Medinans by the Quraysh, it is clear that a state of war predated the transmission of these ayats, therefore, a military strategy is laid out:

> "Will ye not fight people who violated their oaths, plotted to expel the Messenger, and took the aggressive by being the first (to assault) you? Do ye fear them? Nay, it is Allah Whom ye should more justly fear, if ye believe!"[122]

A distinction must be made in these verses (from 9:1 to 9:29-35) between the Arabic terms for "idolaters" (kuffaar) and non-Muslims, including Christians and Jews (dhimmi). The term "idolator" was reserved for the Arab precursors of Islam, specifically, the Quraysh and other tribes, whose polytheism and pilgrimage industries were threatened by Islam; as such, they were actively waging a military campaign against Medina. A comparison of various Qur'anic trasnslations presents the context in which the "fight" against the latter differs from the context of warfare that already existed between Medina and the former:

YUSUF ALI: Fight those who believe not in Allah [Kuffaar] nor the Last Day, nor hold that forbidden which hath been forbidden by Allah and His Messenger, nor acknowledge the religion of Truth, (even if they are) of the People of the Book [Dhimmi], until they pay the Jizya with willing submission, and feel themselves subdued.
PICKTHAL: Fight against such of those who have been given the Scripture as believe not in Allah nor the Last Day, and forbid not that which Allah hath forbidden by His messenger, and follow not the Religion of Truth, until they pay the tribute readily, being brought low.
SHAKIR: Fight those who do not believe in Allah, nor in the latter day, nor do they prohibit what Allah and His Messenger have prohibited, nor follow the religion of truth, out of those who have been given the Book, until they pay the tax in acknowledgment of superiority and they are in a state of subjection.[123]

---

[122] A. Yusef Ali, translator and commentary. *The Holy Qur'an*. (Brentwood, MD: Ammana Corp. 1983), Sura 9:13.

[123] The comparison of these, and other, Qur'anic texts may be accessed through the University of Southern California's Compendium of Muslim Texts available online at: http://www.usc.edu/dept/MSA/quran/009.qmt.html

Note, first, that the Ali translation differentiates between those "who believe not in Allah" and the "people of the book"; Pickthal and Shakir merge all unbelievers into those to whom the "Scriptures have been given". Secondly, perhaps more importantly, the exhortation to "slay the idolaters" is noticeably absent from the injunction to "fight" against the dhimmi. This is an important distinction because it preserves some sense of pluralism in Islam, provided the verb "to fight" may refer simply to the ability to proclaim and defend Islam in the face of alternative religious traditions (proselytization), a greater jihad, and to provide for stable governance of the polity via taxation and protection of minority religious communities. The subordinate status of these minority religious communities does indeed confirm the worst fears of orientalists, however, it must be acknowledged that, despite the various models of governance that have depended on one interpretation of Qur'anic interpretation or the other, a multiplicity of interpretations is possible. It cannot be established, however, that the primary objective of the riddah campaigns was that of religious conversion.

Several key elements, however, offered Abu Bakr the chance to characterize conflict during this period as a holy struggle. First, Jerusalem had been universally accepted by Muslims, Christians, and Jews, a powerful and ancient symbol of legitimized, God-sanctioned, political authority. After all, it had been the seat of the Davidic monarchy, a fact well respected by the three major monotheistic traditions. The Davidic monarchy represented a model of political leadership of supreme utilitarian advantage to Muhammad and his followers. The presence of Jerusalem allowed Islamic armies to march under the banner of a "manifest destiny" of sorts, and so in a general

sense the struggle took on a larger spiritual dimension. Secondly, the phenomenon of reputation cannot be discounted. Certainly, the profound popular acclaim that followed Khalid ibn al-Walid, Abu Bakr's most trusted general, throughout his early attempts to consolidate Arab control east of the Euphrates river and following his arrival in Syria, led to an aura of holiness and awe in which many regarded his endeavors.[124] In much the same way, the average American regards the stature of the "founding fathers" and the destiny of America to become a great nation. For Islam, despite all the secular reasons for fighting, none of which had anything to do with religious conversion (conversion was the option offered after conquest), the religious appeal sent out to encourage Muslims to take up arms in consolidation of Islam's geopolitical boundaries established a dangerous model for political jihad, one that would become the prototype for western academia and political Islam in the 20th century.

As Islamic conquests continued in the east, as Iraq and then Sassanid Persia fell to the invading Arab armies, political leadership within the Islamic polity would come to regard the term jihad as synonymous with war, notwithstanding the Qur'anic prerequisites for such a condition.[125] Umar, the second "rightly guided Caliph", exhorted his general dispatched to conquer Mesopotamia with these words: "summon the people to God, those who respond to your call, accept it from them, but those who refuse must pay the poll tax out of humiliation and lowliness. If they refuse this, it is the sword without

---

[124] George Tate, *The Crusaders: Warriors of God*, (New York: Harry N. Abrams Inc., 1996), p.78.

[125] James Turner Johnson and John Kelsay, *Cross, Crescent and Sword*, (New York: Greenwood Press, 1990) p.37.

leniency! Fear God with regard to what you have been entrusted."[126] Note that this directive completely turns the Qur'anic verse (9:29-35) on its head. The prevailing condition of Umar's injunction was a peaceful outreach to non-Muslim populations with the threat of unrestrained violence if the taxes were not paid. The Qur'anic verse presupposes an already violent confrontation (the oppression of the Quraysh tribe having been mentioned as the primary cause), a conflict complicated by the maintenance of a fragile alliance between the Muslim community and the Christian and Muslim populations in Medina. Tensions between the three monotheistic traditions could be mediated by the cessation of hostilities via submission to the tax that Muhammad had established for the "people of the book".

Once Abu Bakr, and then Umar, established the boundaries of this expanded Islamic empire, utilizing an innovative holy war ideology and after the absorption of non-Arab traditions (principally, Byzantine and Sassanid) that occurred after this conquest, how was the philosophic debate regarding political change within the Islamic community expressed? In order to answer this question, a greater understanding of the development of political power, Hadith, Qur'anic exegesis, and the primary schools of Islamic jurisprudence during the early period is essential. The first thing to note is that while the role of the Caliph was preeminent in the early community, Ibrahim's contention (see note 55) that there was a "separation of powers" of sorts in which the Caliph wielded political and economic power while the Imam sorted out questions of orthodoxy and jurisprudence seems reasonable. Given the rupture of the Islamic polity after the

---

[126] Al-Tabari, *The History of Al-Tabari*, Vol.12, Yohanan Friedman, trans. (Albany: State University of New York Press, 1992), p.167. Quoted in Bostom's *The Legacy of Jihad*, p.26.

ascension of Ali in 656 C.E., and the subsequent split of the Muslim community after his defeat at the hands of Muawiyah, into those that supported the Imamate as opposed to the Caliphate, the debate, in the words of Muslim scholars themselves, has involved these central issues: Does it Lie with Allah to appoint a prophet's successor, or is it the duty of the ummah (the followers) to appoint whomsoever they please as successor to the Prophet? In the latter case, did Allah or the Prophet place in the hands of the ummah any systematic code containing the rules and procedures for the appointment of a caliph, or did the ummah, by their unanimous consent before appointing a caliph, prepare a set of rules to which they adhered (subsequently), or did the ummah act according to what they thought expedient at the time and according to the opportunity at their disposal? Had they the right to act as they did? Does reason and Divine Law demand the existence of any qualifications and conditions in an Imam and a caliph? If so, what are they? Did the Prophet of Islam appoint anyone as his caliph and successor? If he did so, who was it, if not why? After the Prophet's death, who was recognized to be his caliph And did he possess the qualifications necessary for a caliph?[127]

Much of the literature that is currently directed toward resolving these issues originates from Shi'a sources seeking to elevate the Imamate (predominantly in the East) to the level of preeminence traditionally enjoyed by the Caliphate (in the West). Apocryphal tales intended to instruct the faithful about the fusing of political and spiritual authority are utilized.[128] One of these accounts tells of Abu Suyan's (a prominent

---

[127] Sayyid, Najmu 'L Hasan, *an-Nubuwwah wa 'l-khilafah,* (Lucknow: tr Liqa' 'Ali' Haydari, , 1934), p. 2-3.

[128] Al-Islam.org (maintained by the Ahlul Bayt Digital Islamic Library Project), references several of these apocryphal tales, including some that are contained in various hadiths.

member of the Meccan community) attempts to bribe the Prophet with the trappings of material power and prestige (an analogy to the secular authority). Muhammad responds by citing Surah 41:13: “But if they turn away, then say: "I have warned you of a thunderbolt (of punishment) like the thunderbolt of the 'Ad and the Thamud.” A commentary written by Ibn Abi-l-Hadid (1257 C.E.) speaks of the apparent gloating of Umayyad forces as they have wrested political power from the Medinan clans after the election of Abu Bakr:

> When Uthman became Caliph, Abu Sufyan came to him and advised: “O children of Umayya! Now that this kingdom has come to you, play with it as the children play with a ball, and pass it from one to another in your clan. This kingdom is a reality; we do not know whether there is a paradise or hell or not.” Then he went to Uhud and kicked at the grave of Hamzah (the uncle of the Prophet) and said: “O Abu Ya’la! See that the kingdom which you fought against has at last come to us!” [129]

The preceding passage illustrates that at least some in the Islamic polity objected to Uthman’s perceived usurpation of the Caliphate and the secularization of central political leadership that typified the Umayyad regime. The final, and perhaps most definitive, word on the matter is summarized in the following hadith:

> The Holy Prophet passed with this group which was in green uniform. Abu Sufyan cried out, “O ‘Abbas! Verily your nephew has acquired quite a kingdom!” ‘Abbas said, “Woe unto thee! This is not kingship; this is prophethood!”[130]

Historical analysis of this documentary evidence is problematic. It involves inductive logic and an understanding that what documentary sources expressly claim may actually not represent actual conditions as they existed. One must always ask the

---

[129] Ibn Abi 'l-Hadid: op. cit., vol. 16, p. 136, as cited on http://www.al-islam.org/imamate/index.htm.

[130] Imád al-Din Ismá'íl b. `Ali Abu'l-Fidá, , *Al-Mukhtasar Fí Akhbár Al-Bashar* vol.1 (Cairo: Matba`at al-Husayníyyah,1325 C.E.), pp 143-4.

question, "What is the reason this documentary evidence exists in the first place?" In this case, it seems, these stories, aside from staking out the Shi'a position on the issue of theocratic power, illustrate one central point: during the Umayyad period, the Caliphate was perceived, at least by some, to be political and secular, not a religious office.

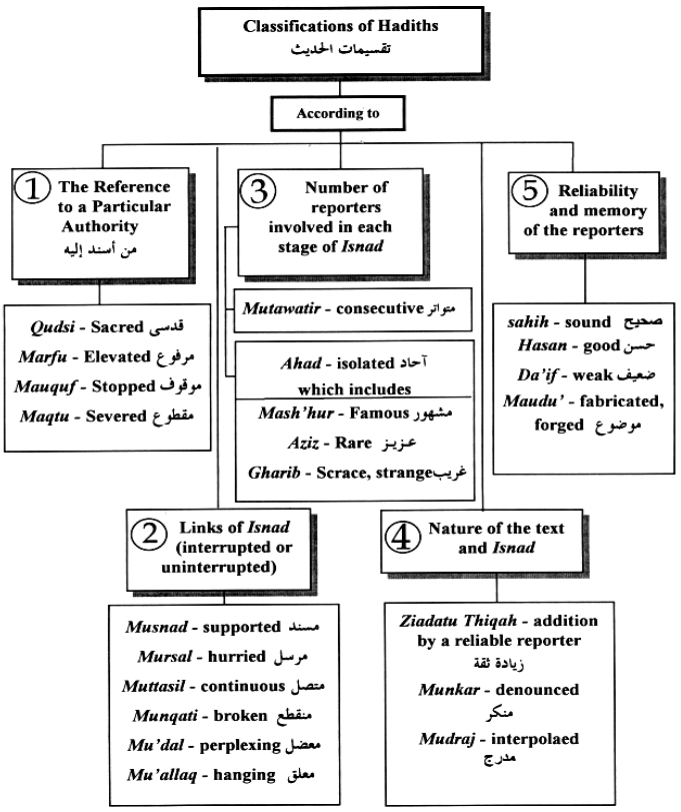
After the codification of the Qur'an in 651 C.E., several literatures developed in an attempt to interpret the meaning of its verses. First, hadith (the sayings of the Prophet) emerged as part of a larger tradition (sunnah, or the "way of the Prophet") in an attempt to extrapolate the intention of Muhammad as he formed the early Islamic community in Medina. The transmission of certain sayings via khabars, or reports (some more generally detailing stories involving the actions of the Prophet) were debated as to their authenticity (an authoritative khabar could be traced all the way back, by establishing a chain (isnad) of sources, to a companion of the Prophet, or Sahabah), their interpretive utility, and the methodology each prescribed.[131] It should be noted, the utility of even reliable hadith would come to be questioned by self-described purists who viewed tradition as an incidental rather than a crucial concept. The meaning of the word (hadith) itself lends nothing to clarification of the dispute; it has several meanings, among them: new, novel, recent, modern, speech, report, account, and narrative.[132] Depending on the various, sometimes dubious, authenticity each body of hadith enjoyed (according to the strength of its isnad, or chain), a particular khabar could be described either as "genuine, authentic, false, weak, doubtful, contradictory, or [even] abrogated".[133] The following

---

131 Suyuti, *Tadrib al-rawi fi sharh Taqrib al-Nawawi*. (al-Qāhirah: Dār al-Kutub al-Ḥadīthah, 1966), p.6.
132 http://www.al-islam.org/al-tawhid/hadith-science/index.htm
133 A. Ben Shemesh, *Taxation in Islam*. (London: Luzac & Co. LTD, 1969), p.3.

chart, provided by the USC-MSC Compendium of Muslim Texts, provides a coherent classification of the various Hadith:

Table 4.1


Classifications of Hadiths
تقسيمات الحديث
According to
1 The Reference to a Particular Authority
من أسند إليه
Qudsi - Sacred قدسى
Marfu - Elevated مرفوع
Mauquf - Stopped موقوف
Maqtu - Severed مقطوع
3 Number of reporters involved in each stage of Isnad
Mutawatir - consecutive متواتر
Ahad - isolated آحاد
which includes
Mash'hur - Famous مشهور
Aziz - Rare عزيز
Gharib - Scrace, strangeغريب
5 Reliability and memory of the reporters
sahih - sound صحيح
Hasan - good حسن
Da'if - weak ضعيف
Maudu' - fabricated, forged موضوع
2 Links of Isnad (interrupted or uninterrupted)
Musnad - supported مسند
Mursal - hurried مرسل
Muttasil - continuous متصل
Munqati - broken منقطع
Mu'dal - perplexing معضل
Mu'allaq - hanging معلق
4 Nature of the text and Isnad
Ziadatu Thiqah - addition by a reliable reporter
زيادة ثقة
Munkar - denounced
منكر
Mudraj - interpolaed
مدرج
134

The second source, fiqh, consisted of the juridical opinions issued by the imams in response to questions raised regarding orthodox behavior and the contestation of rights in the early Islamic community. Several schools (madh'hab, in Arabic: مذهب) emerged over a considerable period of time: Hanafi, Maliki, Shafi'i, and Hanbali.

It is significant to note that the oldest of these schools, Hanafi (حنفي), was perhaps the most liberal in the usage of itjihad (independent reasoning). Abu Hanifah (699 -767 C.E.) was born a Kufite (in modern day Iraq) with a Persian lineage. He

134 http://www.usc.edu/dept/MSA/fundamentals/hadithsunnah/scienceofhadith/brief1/

studied the Qur'an and Hadith in a madrassah under the tutelage of Ja'far al-Sadiq. Among his various students was an aspiring jurist by the name of Abu Yusuf who would make a significant contribution to the philosophical debate over reasoning in early Islam. Of the four madh'habs, the Hanafi School was the chief proponent of independent reasoning, or itjihad. A related technique, istihsan, employing individual reasoning in the interests of equity in the polity, would also become a signal feature of Hanafi jurisprudence.

The Maliki (**يكلام**) school was formed shortly after and similar to the methodology of Abu Hanifa, employed usage of the Qu'ran as a primary text, followed by the Sunnah (way of the prophet), including the Hadith, ijma (consensus among scholars), and Qiya (the use of analogy). In addition to these sources, however, the Maliki School added the traditions passed down by the Medinan community from the time of the Prophet as an authoritative guide or "living sunnah".[135]

The teachings of Imam Ash-Shafi'i (b.789 C.E.) formed the basis of the third major school, Shafi'i (**يعفاش**). While quite willing to include the consensus of scholars regarding the authority of the Sunnah and Hadith, and particularly adroit at incorporating analogy in their findings, the Shafi'i school completely eschewed the principle of independent reasoning. This preference would comprise the first big shift away from utilizing the social models developed by the Medinan community and the permutations of power achieved under both Abu Bak'r and the Umayyads. All Sunnah existed, from the perspective of the Shafi'i school, not to explain the Qur'an, but to verify

[135] Essay entitled "Islamic Sources of Information and their Development into Islamic Law", Sept. 1995, by the Muslim Women's League located at http://mwlusa.org/topics/sources/sources.html.

it. Thus, any Hadith that contradicted what the scholars had agreed upon, via consensus, to be the direct message of the Qur'an was outright rejected. "It is better for a scholar of knowledge to give a fatwa after which he is said to be wrong than to theologize and then be said to be a heretic", Imam Shafi'i was once heard remarking, "I hate nothing more than theology and theologians!".[136] Consensus, in this regard, was nothing more than adherence to a juridical decision made by a senior scholar. Thus, the Shafi'i school contributed to the corpus of Islamic law the concept of Taqlid (**تَقْليد**), or acceptance of higher teaching without the necessity of proof. Indeed, much of what the West now regards as Islamic "fundamentalism" found its roots in the Shafi'i school.

By far the most rigid and unflexible of the four madh'habs was the Hanbali (**ىلبنح**) school, based on the teachings of Imam Ahmad bin Hanbal (d. 855 C.E.). The first principal of the Hanbali School was strict adherence to the Qur'an. Next, in order of importance, were the verdicts issued by the companions of the Prophet; in particular, those of the rashidun ("rightly-guided" Caliphs) were preferred above all others. Where the companions differed, the Hadith was utilized. Weaker Hadith were sometimes permitted provided that there was no more than a single missing khabar between the Prophet and his companions. Finally, only after exhausting all these other resources, was the scholar allowed to use analogical deduction (Qiyas), but never independent reasoning. The scholar upon whom Imam Ahmad's teachings would have the most profound effect was ibn Taymiyyah (1268-1328 C.E). The first debate then, regarding the question of independent reasoning in the interests of Istihsan (equity), would arise between the

---

[136] Essay by Dr. G.F. Haddad entitled "Imam Shafi'i", As-Sunna Foundation of America: http://sunnah.org/publication/khulafa_rashideen/shafii.htm.

scholars from the most liberal of the schools, Hanafi, and those from the most conservative, Hanbali. Because of the immediate influence of the Hanafi school, particularly as it pertained to the political administration of a vastly expanding empire within the first one hundred years of Islam's inception, as opposed to the slowly gathering reaction to, and antithesis toward, the forces of political consolidation and acculturation, this debate would be waged over an amazing 500 year period with the two most significant contributions coming from Abu Yusuf in his seminal 8th century work on taxation, Kitab al-Kharaj and the conservative Hanbali response so indicative of ibn Taymiyyah's 13th century philosophy.[137]

Overlaying these important scriptural and juridical changes were profound political developments. Uthman was assassinated in 656 C.E. and Ali, cousin to the Prophet, was elected Caliph. Ali did not move swiftly enough to bring the assassins to justice and was challenged by Aisha, Muhammad's wife. Upon defeating her forces at Camel later that same year, Ali soon found himself besieged by the forces of Muawiyah, a companion of the Prophet. The two forces fought to a stalemate at the Battle of Siffin and arbitration ensued largely because a group of mutinous Ali supporters supported a non-violent resolution of the conflict. The arbitrator put forward by the mutineers, Abu Musa al-Ash'ari, betrayed their cause, however, by agreeing to support a settlement that did not recognize Ali as Caliph, establishing a power-sharing arrangement wherein

[137] Taxation, as it is in almost every modern polity, remained a significant controversy around which either side of the debate could organize its rhetoric. This debate was clearly not finished within the first two hundred years of Islamic governance, according to Shemesh, p.18: "That the controversies of the 2nd century of Islam still existed at the beginning of the 4th century is clear from the *Kitab Ikhtilaf al_Fuqaha* (book of Controversies amongst the religious scholars), by the famous jurist and historian Abu Jaf'ar, Muhammad bin Jarir al-Tabari (d.310/923)".

Muawiyah would rule Damascus in the West. The disillusioned mutineers adopted the Qur'anic verse "No Rule but God's" as a political slogan and actively opposed the forces of Muawiyah and Ali. This slogan illustrates a significant point regarding attitudes toward the Caliphate at the time. The Caliph, at least in the eyes of the renegade supporters of Ali's claim (a group that would become known as the Kharijites), was not a religious figure, merely a secular administrator of the Muslim polity. Although Ali made a monumental effort to hunt down these dissenters, many of them dispersed into the populated centers around Basra and eventually assassinated Ali in 661.[138]

Ali's son Hassan was bought off by Muawiyah and the challenger to Ali's authority became Caliph at last. Ali's younger son, Hussein, decided to wait for the death of the new Caliph in order to press his claim to the position. Muawiyah's son Yazid usurped the Caliphate in 680, however, provoking Hussein into an armed revolt. Hussein's forces, tricked into believing Yazid desired negotiations, were slaughtered on the plains of Karbala in Iraq awaiting the delegation. This extended civil war between Muawiyah's dynasty and the shi'at Ali (party of Ali) would result, many years later in the fateful split between Sunni and Shi'ite Islam, with the latter maintaining Ali's blood relation to the Prophet as the single distinguishing characteristic qualifying him for the Caliphate.

The appearance in 718 C.E. of Muhammad ibn Ali, great-grandson to Abbas ibn Abd al-Muttalib (uncle to the Prophet), in Persia drew upon this growing sentiment among eastern Muslims that a bloodline to the Prophet be maintained for ascension to the

---

[138] Arthur Goldschmidt Jr., *A Concise History of the Middle East*. (Boulder, CO: Westview Press, 1983), p.55.

Caliphate. Because many non-Arab Muslims (mawali) could not enjoy the benefits of entry into the kinship-based structure of Umayyad society, they threw their support behind ibn Ali, and in 750 C.E. the Abassid clan seized the Caliphate and transferred the center of government from Damascus to Baghdad. Thus began a process initiated by the Abassid Caliphate to consolidate support from their mawali base by allowing a lower rate of taxation of their lands usually reserved for Arab Muslims simply on the basis of their conversion to Islam. This created a fiscal problem for the new dynasty, however, that jurists such as Abu Yusuf, an avid student of the Hanafi School, would seek to address.

The Influence of Abu Yusuf

Abu Yusuf composed his seminal work, Kitab al-Kharaj in his capacity as a judge (qadi) in Baghdad under the Abbasid Caliphate of Harun al-Rashid. During this period, there were several regular taxes levied against various sectors within the burgeoning Islamic empire: the Zakat, the Ushr, the Maks, the Tasq, and the Jizyah vs. the Kharaj.

The Zakat: Zakat has traditionally been understood as the process of "almsgiving" by members of the Muslim population in providing for the needs of the poor. Interestingly, however, the term sadaqa used in the Qur'an, as a derivation of a Hebrew word, seems to denote this concept of aiding the less fortunate.[139] Zakat, on the other hand, seems to have developed as a concept that urged all in Islamic society to contribute to the welfare and growth of the "Islamic nation".[140]

The Ushr: Like the zakat, it seems the ushr was intended to employ some redistributive social principle. Originally, it entailed a portion of the agricultural harvest given, as a

[139] Shemesh, p.25.
[140] Ibid, p.27.

religious tithe of sorts, in order to provide for the needs of the landless and dispossessed. In time, like many other Islamic taxes, it served another, more practical, political function: namely that of a "customs duty".[141] Once again, here it seems a peculiarly Persian influence had crept into the structure of Islamic political administration, as an ancient Assyrian tax known as the ishruu was the evident precursor.[142]

The Maks: What all other taxes couldn't achieve for a specific purpose, the maks was able to. It was basically any other tax needed, from that of a customs duty to those that paid for roads and infrastructure.

The Tasq: Although the technical meaning of this word denotes a land tax via a portion of one's harvest, more accurately, it approaches a more contractual arrangement regarding rent or mortgage of owned property, perhaps coming close to the equivalent of a property tax.

The Jizyah vs. the Kharaj: This tax represented the tribute levied against non-Muslims in Q.9:29.[143] There is no other way to regard this tax than, as Shemesh describes it, a "punitive tribute".[144] In essence, the revenues generated by this tax constituted "paid protection" for the communities conquered by the advance of the Muslim armies. There had been a pre-Islamic poll tax in Arabia, however, that had been levied against

---

141 Ibid, p.22.

142 Ibid, p.23.

143 "Fight against those who do not believe in Allah nor in the Last Day, and do not make forbidden what Allah and his Messengers have made forbidden and do not practice the religion of truth, of those who have made forbidden and do not practice the religion of truth, of those who have been given the Book, until they pay the Jizyah offhand being subdued.". "Offhand being subdued" here refers to a right attitude of "the people of the Book" (Christians and Jews). If they acknowledge themselves to be in submission to the Islamic political authority, then they are properly disposed toward the legitimacy of the jizyah tax. This, in itself, is a controversial requirement. Muslim apologists claim that Islam is a tolerant religion. This requirement makes the tolerated status of Christians and Jews contingent upon a submissive, or inferior, political status.

144 Shemesh, p.20.

individuals, based on income, and was utilized to pay for the administrative costs of government. The idea of a poll tax also happened to advance the political administration of a newly forged empire, and as such, the jizyah switched from being considered tribute to a mere poll tax levied against all non-Muslim citizens in newly conquered territories to offset administrative costs. There was also the kharaj, a land tax, to contend with. This tax had been a part of Sassanid political administration for centuries and had been levied equally across all populations in order to provide revenues for Imperial coffers. With the kharaj, Islamic fiscal policy was now directed at non-Muslim populations. Thus, there was little to distinguish the jizyah from the kharaj in that they both became useful to the day-to-day operations of government. There was less of a Qur'anic justification for the kharaj than there was for the jizyah, even given its permutation as a poll tax.

Three things here are significant to note: first, the Qur'anic jizyah tax very quickly became a secular tax. No overriding strict interpretation of the Qur'an was present during these early years of Islamic governance. Secondly, the kharaj constituted an acculturation to Persian modes of administration, thus displaying Islam's adaptability to competing socio-political institutions. More importantly, the needs of an imperial economy demanded a more widely distributed sharing of the burden of the kharaj. The ushr, applicable only to Muslims, exacted a much lower rate of taxation. It would fall to jurists such as Abu Yusuf, willing to employ the devices of independent reasoning, to begin to redefine the rules regarding land rights and privileges. Many conquered non-Arab populations (the mawali) had converted to Islam simply to move from the kharaj tax to the lower ushr tax. Abu Yusuf's opinions seem to have contributed to the

solidification of exclusive rules for each class, thereby keeping the swelling ranks of non-Arab populations languishing in the kharaj class, unable to transfer their lands to Arab Muslims, or escape the higher tax. This innovation was designed to keep in place a two-tiered class system that discriminated against non-Arabs, all the while increasing imperial revenues. In fact, it had the opposite effect. Eventually, the kharaj tax was to be used punitively against Muslim and non-Muslim alike. Abu Yusuf, himself, would conclude that Muslims should be taxed at the higher rate, rather than the ushr, for merely leasing their lands to non-Muslims (a much used loophole in the tax regulations). This provoked a virulent counter-debate within the Arab-Muslim population regarding the juridical techniques employed by Abu Yusuf in arriving at innovative tax schemes that put their ranks on equal footing with the mawali.

Abu Yusuf begins his treatise, Kitab al-Kharaj, with a clear articulation of his high regard for juridical interpretation: "Yeah, Allah in His grace and mercy has appointed rulers to be his vice-regents on earth and has granted them the light of wisdom which illuminates the confused affairs of their subjects and makes clear to them the rights and duties about which they are in doubt." He goes on to say, "For this purpose, the revival of the study of precedents and traditions, laid down by the pious and devout, is extremely important".[145] The remainder of the al-Kharaj is organized into a series of topics ranging from "rules of distribution" to the "letting of fields and palm orchards", followed by a careful rendition of the traditions that he considers authoritative in rendering his judgments. On kharaj, he is very clear: "No one has the right to convert

[145] Ibid, p.38.

kharaj land into ushr land or vice versa. It is illegal for an owner of ushr land who buys a tract of kharaj land adjoining his land to include it in his ushr land by paying the ushr tax for it or vice versa".[146] Thus, even Muslims could be subject to the higher rate of taxation. For many, this would represent an intolerable burden.

Ibn Taymiyyah: Conservative Backlash

By the 13th century C.E., the Abassid dynasty was in a complete state of collapse. Five years before ibn Taymiyyah's birth, Baghdad had been sacked by Mongolian tribes to the east and the Mamluk dynasty, from their centers in Egypt and Syria, offered order and stability to a region torn by conflict.[147] Ibn Taymiyyah steeped himself in the study of Hanbali juridical precepts. As such, he became convinced that the innovations of Abassid administrators like Abu Yusuf represented an unnecessary diversion from the path of Islamic governance laid out in the text of the Qur'an.

First and foremost, Ibn Taymiyyah reaffirmed his native Arab culture as the presumptively superior political source, quoting the Prophet: "When God created me, He made me the choice of His creatures; when He formed the tribes, He made me of the best of tribes; when He created the souls, He made me one of the best of their souls; then when he made the clans, He made me of their best. I am, therefore, the choice of clans, and souls."[148] The authoritative tradition, then, was not to be found in legal reasoning, for that had developed alongside the absorption of many non-Arab institutions, rather, it was to be found in the authoritative message of the Qur'an:

---

146 Ibid, p.83.
147 Omar, A. Farrukh, *Ibn Taimiyya on Public and Private Law in Islam*. (Beirut: Khayats, 1966), p.3.
148 Victor E. Makari, *Ibn Taymiyyah's Ethics, The Social Factor*. (Chico, CA: Scholars, Press, 1983), p.117.

> "If a Muslim is encountered with a legal problem, he may seek the counsel of whomever he believes will counsel him in accordance with the law of God and his Apostle regardless of what school he may be. No Muslim is dutifully bound to follow any certain scholar in all that he says…what is obligatory is to live in reverence for God insofar as it is possible, and to seek the knowledge of what God and His Apostle have commanded, and do it; but avoid that which is forbidden. God knows best.[149]

For the Hanbali school that formed Ibn Taymiyyah's views, the Qur'an was to reign supreme as the definitive source regarding Muslim governance and law. If a matter was not addressed by that source, the traditions passed down from the early generations of the Muslim community, the salafi, (يفلس), usually the companions of the Prophet, were to be consulted. Only after these sources had been exhausted, could a jurist reasonably turn to consideration of the Hadith, and even then, only to those with authoritative isnads (chains) back to a reliable source. If the religious scholar (ulama) pronounced anything contrary to that which is contained in the Hadith, it was excusable only if the following conditions were satisfied: there was absence of confirmation that the Hadith in question was attributable to the Prophet; there was absence of confirmation that the Hadith in question referred to a particular problem; abrogation (the concept that a more specific verse or tradition nullifies, or clarifies a more general verse or tradition).[150]

In this regard, one was encouraged to demand proof (via reference to some Qur'anic principle or salafi source) of the veracity of the juridical opinion of one school or another, rather than settle for blind acceptance (taqlid).[151] In particular, the Hanafite tradition of

---

[149] Ibn Taymiyyah, from his Al-Fatwa al-Kubra, cited in Makari, p.106.

[150] Serajul Haque, *Imam Ibn Taimiya and His Projects of Reform*. (Bangladesh: Islamic Foundation, 1982), p.49.

[151] Makari, p.89.

employing istihsan (independent reasoning in the interests of equity) was outright rejected by Ibn Taymiyyah in favor of analogy and the independent reasoning (itjihad) of the average Muslim believer.[152] In a clear challenge to the innovative taxing schemes of Abassid jurists like Abu Yusuf, he declared:

> "But when the man in authority [Caliph] extracts from the collectors a sum they had gathered in an illegal manner to appropriate it himself or to share it with his own relatives(and friends), then none of them (the ruler and the collectors) should be supported… Surely if certain properties were acquired (or retained) in an illegal manner [as in the application of the ushr tax upon mawali property] …then the effort to ensure that these properties be spent on matters of general interest of the Muslims…is a collaboration of righteousness and piety."[153]

Ibn Taymiyyah's logic was clear: it was allowable to fund Islamic government projects by maintaining the applicability of the Kharaj tax upon the mawali population, but Abu Yusuf had exceeded the boundaries of his authority as a jurist in extending the tax to Arab-Muslims as well.

The conservative social program conceived of by Ibn Taymiyyah's judicial temperament can also be said to include much of what today is accepted as orthodox by extremist/radical Islamic movements: strict adherence to monotheism (tawhid)[154]: draconian punishments for adultery (stoning)[155], murder (death), theft

---

[152] In discussing Abu Hanifa's declaration, by virtue of istihsan, that certain questionable business transactions were not analogous to outright "unlawful" transactions, and therefore, legal, Ibn Taymiyyah reaffirms the superiority of analogy over independent reasoning (Haque, pgs.69-71).

[153] Farrukh, pgs.57-58.

[154] Ibid, p.82.

[155] Farrukh, p.117.

(dismemberment)[156], intoxication (whipping)[157], homosexuality (death)[158]; the duty of jihad[159]; condemnation of Shi'ism.[160]

Monotheism, for example, was strictly defined as deference only to God, not simply the sole worship of God. Pilgrimage to the burial shrines of Muslim saints was identified as shirk, or polytheistic devotion.[161] Borrowing from this puritanical tradition, Modern Muslim extremist movements would characterize any cooperation with, or acculturation to, Western culture as shirking in the strictest Hanbali sense. Similarly, many modern Islamic political movements have sought to punish what they perceive as hedonistic behavior with a strict Hanafi interpretation of Shari'a law. The effect of Ibn Taymiyyah's ideas upon the Wahabbi movement in Saudi Arabia and the formation of the Muslim Brotherhood in Egypt cannot be overstated. The similarities between Ibn Taymiyyah's philosophy and modern Islamism's objectives, however, are merely superficial.

For one thing, Ibn Taymiyyah defended vigorously the democratic legitimacy of the Caliphate. In responding to a Shi'ite contention that Abu Bakr was elected by the single vote of Umar (with a tacit agreement in place to hand power over to Umar upon his death), Ibn Taymiyyah reminded the community of believers (umma) of the Sunni tradition regarding the election of the first Caliph. This tradition held that the consent of

---

156 Ibid, p.114.
157 Ibid, p.123.
158 Ibid, p.118.
159 Ibid, p.136.
160 Haque, p.95. This last feature obviously applies only to major Sunni extremist movements like Al-Qaeda.
161 Quoting Abu Yazid Bistami, Ibn Taymiyyah declares pilgrimages anathema: "Asking for succor by a creature [intercessory prayer] is like one drowning man asking another drowning man for help." (Haque, p.83).

both the muhajirun (نورجاهملا), or Meccan immigrants to Medina, and the ansar (Medinan followers of the Prophet) were necessary for the election of Abu Bakr.[162]

Additionally, Ibn Taymiyyah's defense of jihad as the general duty of all Muslims seemed curiously circumscribed by a Qur'anic, rather than a political, understanding of the concept. Surely, the renowned scholar acknowledged that Muslims had engaged in armed conflicts, however, such wars had been waged ostensibly to "defend themselves and propagate Islam". Muslims had been given permission to fight "because they [were] oppressed".[163] Thus, the Qur'anic distinction between infidels (non-Muslims from both Arab and non-Arab populations) and the "People of the Book" (dhimmis) was maintained. The general injunction to "fight" was the duty of every Muslim to struggle against oppression (domestically), against fellow Arabs occasionally[164], and to extend the reach of Islam (geographically), against non-Arabs, in order to remove the obstructions to the preaching of the Prophet's message.

In this sense, the fight was never-ending, comprising two eternally warring forces, dar al-harb, the abode of conflict, and dar al-islam, the abode of peace. The fight, then, went on unabated between Muslim and non-Muslim Arabs, even as religious minorities (Christians and Jews) enjoyed the legal protection of Islamic government in return for payment of the jizyah. Rather than a tribute tax levied against conquered peoples, the jizyah provided for a public good in that it maintained a civil administration over an extended geographic area and kept the relative peace.

---

162 Haque, p.98.

163 Farrukh, p.135.

164 Ibid, pgs.142-143. "No tribute (jizya) may be levied from the Arabs (whether Muslim or not)….it is agreed by all Muslims that such a group should be fought…" The dhimmis, on the other hand, "should be fought (only on the violations of the terms of the treaties concluded with them)…."

The debate between Abu Yusuf and Ibn Taymiyyah remains illustrative of some central concepts crucial to Islam's capacity to embrace democratic principals:
It demonstrated Islam's ability to adapt to new political ideas and institutions. In matters requiring judicial interpretation that involved complicated discussions regarding the rights and obligations of a diverse population, some latitude was given to the concept of equity. In the debate between independent reasoning in the interests of the public and those who favored a more literalist interpretation of an authoritative text, themes centered around the democratic process as a means of conferring political legitimacy, and were openly discussed by scholars from various schools. Finally, a vibrant public debate regarding the rights and duties of religious minorities was encouraged, and the role of the Caliphate as a secular political authority was discussed. The relevance of these processes of discussion and debate within the framework of fiqh is profound, particularly as they have stood the test of time and continued well into the twenty-first century. As Andrew March has observed, Western democracies when faced with the continued debate in Islam over stoning as an appropriate punishment for adultery, assume such debates are indicative of an abiding extremism, thereby circumscribing the extent to which Islam is capable adopting, or adapting to progressive ideas.[165] March indicates an important difference, particularly for Muslims living in western secular societies, between maintaining observance in Islamic moral law for such punishments and acceptance of western values. A Muslim may indeed feel such behavior as adultery is deservable of stoning, yet accept less draconian consequences for that behavior under western secular

[165] Andrew March, *Islam and Liberal Citizenship: The Search for an Overlapping Consensus*, (New York: Oxford University Press, 2009), p.92.

law. In turn, western secular societies should realize that Muslims should be free to develop their own religious doctrines, including specific punishments for immoral behavior, without interference from the state as long as Muslims accept the subordination of those doctrines to secular law. In short, the first several centuries of Islamic culture offered much promise for the nurturing of an indigenous democratic culture; a promise that would never reach its full potential because of powerful intervening factors.

Chapter Five: The "Golden Age" of Islamic Philosophy

"The disagreements of my community are a blessing" (Mawsu'at atraf al-hadith, I: 83)
"Every community is tested by a predicament: the predicament of my community are the sects" (Inna li-kuli ummatin fitnatan, wa-fitnatu ummati al-milal, I:93) [166]

It has already been pointed out that in the early period, transitions of Caliphal power occurred via elections. Furthermore, the themes of property rights, racial and gender equality, and the need for democratic consultation have been gleaned from the Medinan Compact, the Last Sermon of the Prophet, and the most authoritative of Hadiths. In this chapter, the emergence of several key concepts in philosophical Islam: rationalism, pluralism, political equality, the value of dissent, the importance of equity under the law, will be examined, in the context of some very intricate metaphysical debates, but with profound implications for the capacity of Islam to create a unified system of thought that actually established the paradigm that western liberalism would follow several centuries later. One need not project a western model of republican democracy artificially on the east by finding compatible concepts within Islam and overemphasizing their value; rather, it is sufficient to note that the very philosophical debate over pluralism, consensus, human rights, and civil disobedience was a vibrant one and occurring for centuries within the Islamic east, independent of western influence. Several Islamic philosophers' works will be examined in this chapter that contributed greatly to the synthesis of Greek/Islamic ideas and the radical counter-movements they

166 Sarah Stroumsa, *Freethinkers of Medieval Islam: Ibn al-Rawandi, Abu Bakr al-Razi, and Their Impact on Islamic Thought*, (Boston: Brill, 1999), p.2

provoked. Key among these counter-movements were the Salifists who rejected the early attempts to "interpret" the Qur'an through the prism of philosophy and recast orthodoxy as an enterprise that included unswerving obedience to the literal Qur'an. In order to do this they advocated a new kind of reasoning (ijtihad) that eschewed the wisdom of scholars and imagined the possibilities of individual enlightenment for all Muslims in the reading of Holy Scripture. This was an innovation, however, as it diverged from the accepted practice of istihsan and so it is ironic that the very agents of radical change masqueraded as defenders of orthodoxy. The modern Islamists of the Twentieth Century would gather inspiration from these Salifists, thus producing the radical Islam that has found its antagonist in the West, overshadowing centuries of Islamic culture which had nurtured tolerance, scientific innovation, and democratic ideals. As pointed out in the previous chapter, however, it had all begun with Ibn Taymiyyah's criticism of the reasoning of scholars.

Over time, Ibn Taymiyyah's opposition to the perceived failures of itjihad and his preference for istihsan would eventually amount to a claim of Hanbali/Salafi orthodox religious belief. This would not take shape until a variety of medieval philosophers (the *falsafah*), from Al-kindi (Alkindus in the West) to ibn-Rushd (Averroes) would debate and critically evaluate philosophical and cosmological arguments during what has been called the "golden age" of Islamic philosophy: the Classical Period. The locus of the debate in the Classical Period would bypass the methodological distinctions of istihsan and itjihad (in favor of a consensus regarding the efficacy of Western philosophy and its relevance to Islam) and proceed to more fundamental disagreements regarding

metaphysical questions of causation in the universe. This was partly due to the works of Greek philosophy (particularly those of Plato and Aristotle) in circulation among the community of Islamic scholars. In chronological order, the impact of the following Islamic scholars will be weighed in this chapter: Alkindus, or Abu Yusuf Ya'qub ibn Ishaq al-Kindi (801–873 CE), Rasis, or Abu Bakr Muhammad ibn Zakariya Razi (865-925 CE), Alpharabius, or Abu Nasr Muhammad al-Farabi (872-950 or 951 CE), Avicenna, or Abu Ali Sina Balkhi (980-1037 CE), Al-Ghazali, or Abu Hamid Muhammad ibn Muhammad al-Ghazali (1058-1111 CE), Ibn Tufayl, or Abu Bakr Muhammad ibn Abd al-Malik Muhammad ibn Tufail al-Qaisi al-Andalusi (1105-185 CE), Averroes, or Abu'l-Walid Muhammad ibn Ahmad ibn Rushd (1126-1198 CE).

Abu Yusuf Ya'qub ibn Ishaq Al-Kindi (Arabic: **أبو يوسف يعقوب إبن إسحاق الكندي**), referred to as Alkindus in the West, has been deemed the "first Islamic philosopher" and worked actively to weave Western schools of philosophy, particularly the neo Platonism of Plotinus, into the fabric of Islamic thought.[167] Al-Kindi was born in Kufa (801 CE) as the center of political authority moved from Damascus to Baghdad under the Abbasids. Because he was born of an aristocratic family, he enjoyed the benefits of a rigorous education first at Kufa and later in Baghdad. He eventually benefited from the patronage of two Abbasid Caliphs, al-Ma'mun and al-Mu'tasim, as evidenced by his appointment to the "House of Wisdom" in Baghdad.[168] Significantly, al-Kindi seemed to perceive no

[167] Peter Adamson, & Richard Taylor, eds. *The Cambridge Companion to Arabic Philosophy*. (Cambridge: Cambridge University Press, 2005), p.37

[168] Henry Corbin, *History of Islamic Philosophy*. (London: Keagan Paul International, 1993). p154

apparent contradiction between the ideas of "the oneness of God" (tawhid) and the multiplicity of intermediaries through which God acts.[169]

The oneness of God, he affirmed, was unique among all entities. While one could identify a single object (other than God) by referring to its genus or species, he argued, God was "one of a kind" in that there were no others who could identified by reference to Him.[170] The question of whether God was an active or a passive agent (similar to the orthodox-deist dichotomy in Western Christian thought) intrigued al-Kindi. He concluded that the scientific process of "cause and effect" inferred that God was the principal mover in the universe, bringing about a variety of other actions through intermediary agents that served as "conduits" for God's creative urge.[171] This assertion was significant in a number of ways. First, it opened up the lines of scientific inquiry into the nature of the intermediary agents (i.e. the physical universe) through which God acts. Second, it created a new religious debate between those who would hold that these intermediary agents "emanated" from God (a natural process rather than a result of an intentional act of creation by God) and were in possession of awareness and intellects of their own. Finally, perhaps most significantly, al-Kindi had arrived at this realization through his readings of Aristotle, thereby introducing Greek philosophical concepts (in this case the identification of God with Aristotle's "unmoved mover") into the vocabulary of Islamic religious thought.[172]

---

169 Felix Klein-Frank, "Al-Kindi" *History of Islamic Philosophy*, Oliver Leaman and Seyyed Nasr eds. (London: Routledge Press, 2001), p.167

170 Adamson, p.35

171 Klein-Frank, p.167

172 Adamson, p.36

Another assertion of al-Kindi's would spark a second debate among Islamic scholars regarding the origins of the universe itself. By dissenting from the Aristotelian notion of a universe with an infinite past, al-Kindi laid the foundation for future Islamic scholars to debate the issue. Al-Kindi's original concept, in conjunction with the contributions of subsequent Islamic scholars (Saadia Gaon and Al-Ghazali), evolved into two sets of logical assertions, or arguments. The first set involved the issue of whether an "infinite" was possible at all. The scholars came to an agreement on three principles: "an actual infinite cannot exist", "an infinite temporal regress of events is an actual infinite", "an infinite temporal regress of events cannot exist."[173] The second set questioned the process of "infinite successive addition", or completion of an infinite universe via successive addition: "an actual infinite cannot be completed by successive addition", "the temporal series of past events has been completed by successive addition", "the temporal series of past events cannot be an actual infinite."[174]

The debates that emerged in the century following al-Kindi would involve both the qualitative strengths of his logic and the origins from which the question of "infiniteness" arose in the first place: Greek philosophy. For purposes of this project, it is essential to note that Islam, far from possessing a static, monolithic, and unchanging religious doctrine (something much more achievable in the hierarchic church structure of Christian Europe), had developed an academic process of debate open to outside (Aristotelian) influences and foreign (non-Muslim) concepts.[175] Not only were these

---

[173] Craig, William Lane, "Whitrow and Popper on the Impossibility of an Infinite Past", London: *The British Journal for the Philosophy of Science* #30, vol.2, June 1979, pp.165-170.
[174] Ibid, pp.165-170
[175] Klein-Frank, pp.166-167

influences and concepts debated, al-Kindi demonstrated that some of them could be incorporated into Islam and adapted to become relevant to the dichotomy between reason and faith, a process only equaled in the West (by this, I mean equaled in sophisticated and nuanced argumentation) by St. Thomas's Summa Theologica four hundred years later and firmly established in the corpus of Western philosophy by Immanuel Kant.

In the Byzantine East, the Christian philosopher John Philoponus had similarly dissented from the Aristotelian consensus in the sixth century CE by articulating a rather clumsy challenge to the concept of infiniteness, for which he was rewarded by being posthumously condemned as a heretic by the Eastern Orthodox communion in 608 CE.

Al-Kindi's theory of causation ignited centuries of Islamic academic debate and bridged the gap between religious ideology (as it was being developed by the various mahdhabs), Sharia law, the hard sciences, and the newly emerging discipline of philosophical discourse. First, al-Kindi maintained that God's creative energy had resulted in a first or "active" intellect. This "active intellect" became an intermediary through which all material objects had been subsequently brought into existence. This was an aspect of al-Kindi's philosophy that had been directly borrowed from Plato's theory of forms.[176] Al-Kindi's contribution to the debate was to suggest that only the active intellect could perfectly comprehend the abstract universal forms that foreshadow material objects; humans would fall decidedly short.[177] The relation of the first intellect to that of human cognition was analogized by Al-Kindi by resorting to the image of a wood fire. In this analogy, the wood represents human intellect and its potentiality for

[176] Ibid, p.169
[177] Adamson, pp.40-41

approaching universal concepts or forms. The fire represents the active intellect that is continuously contemplating and actualizing perfect forms. From this exercise, al-Kindi concluded that human intellects can only conceptualize the perfect abstract form of everything by a process of interaction with the divine. The fire, then, is God's consumption of human potential and its transformation into what al-Kindi called the "acquired intellect".[178]

Al-Kindi differentiated the human soul from the variety of intellects that were part of his paradigm in that the human soul was an incorporeal entity that could direct its will to either contemplate the active intellect (through union with God), thereby internalizing cognition of perfect abstract forms or turn aside to accept the fallacious worldly representations of these forms.[179] The implications for the average Muslim were profound: if one merely accepted the sensory confirmation of objects available through life experience, the human soul would be channeled toward desire and consequently expunged with the body upon death. Conversely, if the individual pursued union with God, the human soul would be channeled toward contemplation of the active intellect, understand physical objects within the context of their perfect abstract forms, thereby rendering the soul immortal after death of the physical body. Al-Kindi describes this principle thus:

> "Our residence in this phenomenal world is transitory; it is a journey towards the eternal one. The most miserable man is he who prefers for himself the material above the spiritual, for the material, apart from its ephemeral nature, obstructs our passage to the spiritual world. Man should not disregard any means to protect himself against

[178] Ibid, p.40
[179] Ibid, pp.41-42

> all human vices, and he should seek to rise to the highest ends of human virtues..., that is, to the knowledge by means of which we protect ourselves against spiritual and bodily disease, and acquire the human virtues in whose very essence goodness is grounded."[180]

The interesting point about al-Kindi's perception of the first intellect is his contention that both philosophy and prophetic revelation yielded the same results.[181] Although he clearly indicates the superiority that prophecy possesses both in its methodology and in the simplicity of its message to the masses, he nonetheless reaffirms that philosophers can reach the same heights, even if only through a much more rigorous process.[182]

Al-Kindi would generate controversy among Muslim scholars with his next assertion. He further redacted the concept of prophecy by likening it to the "faculty of imagination" referred to by the Aristotelians, in which "pure souls" were able to perceive the perfect abstract forms contemplated by the active intellect. This would motivate future scholars (as demonstrated in al-Ghazali's Incoherence of the Philosophers) to question al-Kindi's orthodoxy as they perceived this to be a dismissal of God's miraculous intervention in human affairs.[183] An important assertion must be made here. Scholars like al-Ghazali never questioned the efficacy of philosophy as a method or the occasional reference to foreign philosophers within the context of Islamic debate, rather, they disagreed with the conclusions derived from their methods.[184] The scholars of

---

180 Ibid, p.143

181 Corbin, p.156

182 Alfred L. Ivry, translator. *Al-Kindi's Metaphysics: A Translation of Ya'qub ibn Ishaq al-Kindi's Treatise "On Fisrt Philosophy", or fi al-falsafah al-ula*. (Albany: State University of New York Press, 1974), p.117. Al-Kindi acknowledges the difficulty of the philosophical method: "Philosophy is resemblance to the actions of God, may He be exalted, insofar *as is possible* [italics added] by man."

183 Adamson, p.47

184 Oliver Leaman, *A Brief Introduction to Islamic Philosophy* (Cambridge, UK: Polity Press, 1999). p.21

Medieval Islam were enlightened enough to acknowledge the utility of reason and tolerant enough to consider the non-Muslim sources of philosophy that employed rigorous systems of logic. The legal and political sources of authority were not as accommodating. As Caliphs of the Abbasid Dynasty perceived the need to rein in voices of dissent, they gradually aligned themselves with the traditionalist Hanbali mahdhab and Salafi movement. For them, this meant turning their backs on philosophers like al-Kindi who had tried to extend ibn Taymiyyah's concept, itjihad (originally meant to be utilized as a method to question the "innovations" of scholars), to the community of scholars in order to construct a scientific method. This was regarded as apostasy by the Salafi scholars who were gaining favor with the Abbasid Caliphate, and its followers branded "Mutazali" (المعتزلة) or "separatists".[185] Because this process of censure was left to the mahdhabs, with little or no interference from the state, it took a long time, and this left scholars a window of opportunity to continue to debate issues of orthodoxy for nearly a century more. Al-Kindi's contribution to Islamic scholarship cannot be denied; he provided the framework by which non-Muslim philosophical sources were integrated into a Muslim cosmology and demonstrated that Islam itself possessed certain universal features that could both accommodate and adapt other world views.

Abu Bakr Muhammad ibn Zakariya al-Razi (Persian: زکریای رازی**),** or simply "Rasis" in the West, was a profound scholar who transcended disciplines and mastered a corpus of knowledge that few have rivaled in the East or the West. He was an

---

[185] Richard C. Martin, Mark R. Woodward, and Dwi S. Atmaja. D*efenders of Reason in Islam: Mu'tazilism from Medieval School to Modern Symbol*. (Oxford, England: Oneworld Publications, 1977), p.84.

accomplished physician (with an encyclopedic knowledge of Greek, Persian, and Indian medical science), chemist, philosopher, and well-rounded scholar of his day who contributed much to the fields of science and the humanities in Islamic culture. In the hard sciences, he is credited with introducing the Euclidean notions of time and space as well as the atomism of Democritus into the vocabulary of Islamic scholarship.[186] Al-Razi was bold enough to suggest that it was the duty of the scholar to go beyond what he had been taught, to expound upon human knowledge until one had "expanded the accuracy and scope of [his] doctrine".[187] In this way, he challenged the Aristotelian and neo-Platonic views of his contemporaries and was generally regarded with disfavor by a consensus of Muslim scholars.[188] It should be mentioned that while al-Razi did not consider himself a political philosopher, his works resulted in the emergence of a school of political theorists, beginning with al-Farabi, who would question the orthodoxy of his

---

[186] H. Stolyarov II, "Rhazes: The Thinking Western Physician", in: *The Rational Argumentator* (Issue VI, 2002), available online at: http://rationalargumentator.com/Rhazes.html. Stolyarov concludes: "A knowable universe for man to utilize to his advantage lay at the root of his metaphysical and epistemological discoveries, which aimed ultimately to surpass the condition of one's predecessors. He proclaimed the absolutism of Euclidean space and mechanical time as the commonsense basis for the world in which men lived, but resolved the dilemma of existent infinities by synthesizing this outlook with the atomic theory of Democritus, which recognized that matter existed in the form of indivisible and fathomable quanta. The continuity of space, however, holds due to the existence of void, or a region lacking matter. This is remarkably close to the systems yielded by the discoveries of such later European scientists as John Dalton and Max Planck, as well as the observational and theoretical works of modern astronomer Halton Arp and Objectivist philosopher Michael Miller. Progress, in the view of all these men, is not to be obstructed by a jumble of haphazard and contradictory relativistic assertions which result in metaphysical hodge-podge instead of a sturdy intellectual base. Even in regard to the task of the philosopher, Rhazes considered it to be progressing beyond the level of one's teachers, expanding the accuracy and scope of one's doctrine, and individually elevating oneself onto a higher intellectual plane."

[187] Ibid

[188] Stroumsa distinguishes several trends in Islamic Medieval thought. First, she acknowledges the "falasifa", a term that encompasses all those who incorporated Eastern and Western philosophy in their works, starting with al-Kindi (p.7). She differentiates this school from those whose conclusions (not methodology) were called into question by the later Abassid Caliphs (the Mu'tazila, or "those who withdraw", p.7). Next, she identifies the "freethinkers" as those who truly did not adhere to any scriptural religion, including Islam (p.8). It in this latter category that she firmly places al-Razi.

views, particularly because he was such an advocate of independent scientific reasoning.[189]

Al-Razi's "doctrine of nature" (تبعيه.or tabi'ah) consisted of the following five "eternal principles": God, soul. time, matter, and space.[190] While al-Razi eschewed Aristotelian logic and rejected neo-Platonist thought, he was almost singularly obsessed with Plato's *Timaeus* and it is this work that provides him with the elementary concepts that would constitute his doctrine of nature. As Paul Walker notes in his chapter "The Political Implications of al-Razi's Philosophy", the glaring omission in al-Razi's doctrine is his absence of an acknowledgement regarding al-Kindi's active intellect.[191] The first two eternal principles, God and the human soul, interact initially as God prepares all of creation as a "testing ground" for each individual soul. The human soul is then bestowed with an intellect (not acquired through emanations or natural process; rather, given as a benevolent act of God) in order to develop and use to acquire intelligence, reason, and the capacity to understand the other eternal principles at work in the universe. This subordinate human status of the intellect infers that there is a transcendent divine intellect that "gives the created universe its natural order."[192] God creates the universe, but it operates under its own laws. The other three principles, according to al-Razi's doctrine: space, matter, and time, are therefore subject to these natural laws and not to the Creator who brought them into existence. Practically, what this meant was that al-Razi denied

---

189 Paul Walker, "The Political Implications of al-Razi's Philosophy", *The Political Aspects of Islamic Philosophy*, Muhsin Mahdi & Charles Butterworth, eds.(Cambridge, MA: Harvard University Press 1992), p.71 & 73, respectively.

190 Ibid, p.75.

191 Ibid, p.75.

192 Ibid, p.75

the prophetic and the miraculous aspects of God. This view amounted to a deistic challenge to Islamic orthodoxy and would produce the virulent political movements that identified heretics, or wrong believers (as opposed to infidels, or unbelievers), and continued well into the twentieth century.[193]

For al-Razi, human reason led to the embrace of a middle path in which knowledge, gentleness, restraint, temperance, and most of all, equity would abound. He expresses this in his "Great Commentary":

> "We have it from al-Qaffal that the Prophet said the best of matters is its middle. i.e. the most just of it….and about it the Prophet said you are in this manner to be in the middle… it is the saying of the poet Zuhayr: They are the middle who satisfy humankind with their administration of justice." [194]

The inherent reward for living such a life of conscientiousness and moderation was a peaceful and tranquil soul, the very object all humans strive for in their hope for an eternal afterlife. One need not wait for this afterlife to enjoy the fruits of a soul at peace or a mind insulated from the tumult of the world by calm deliberation. The importance of possessing this tranquility of mind has relatively little to do with measuring democracy in Islam, rather, in al-Razi's mind it became a fundamental building block in constructing a society where civil discourse and deliberation were possible. Again, imposing a conflict-resolution paradigm, these virtues direct conflict into the political arena where they are resolved, given there are adequate institutions that respect and encourage political leaders

---

193 Stroumsa, p.1

194 George C. Decasa, *The Quranic Concept of Umma and its Function in Philippine Muslim Society*. (Rome: Editrice Pontificia Università Gregoriana, 1999), p.210

to listen to a variety of voices. With its emphasis on ijam and sura, Islamic government possessed such institutions. This, al-Razi claimed, was the promise of "Islam", which means literally, "peace through surrender to God".[195] There is a practical effect of this mindset, al-Razi argues; it fundamentally diminishes the fear all humans have of death.[196] If humans can be convinced that there is a tranquil life awaiting them after their sojourn on this earth, their fear of death will recede. No better confirmation of this life exists than the immediate experience of its rewards. Thus, there is an incentive for individuals to behave in the way prescribed by al-Razi.

The obvious implications this exhortation to moderation has for Islam as a political idea are several. First, Islam can be seen as espousing a non-aggressive political philosophy that seeks peaceful relations with non-Muslim societies. This is significant once joined to the Qu'ranic verses reminding Muslims that God "detests" the aggressor. Secondly, especially taken in conjunction with the principle of sura (consultation) and ijma (consensus) that I discuss earlier in this thesis, Islam can be seen as espousing a pluralistic doctrine in ordering social relations.

Many theorists have decried Islam's historical incapacity to inculcate in its citizens the necessary social attitudes that stimulate a vibrant civil society, comparable to the conditions that have favorably disposed Western culture to include guarantees of voluntary association, civil rights, civil liberties, and political equality. Al-Razi's theory exposes the weakness of this claim. Clearly, there were intervening variables that tempered the acceptance of al-Razi's message; however, to claim (as the orientalists do)

---

[195] Walker, p. 86.
[196] Stroumsa, p.12.

that Islam never had the *capacity* to engender the construction of such guarantees is to deny the important debates that the philosophical community engaged in regarding the issue.

Unfortunately for al-Razi, his moral message was vague enough to be confined to his studies on health and medicine, with his exhortation to the "middle path" relegated to a general prescription for emotional and psychological well-being.[197] In addition to this, al-Razi's other works, *The Prophets' Fraudulent Tricks* (مخارق الانبياء), *The Stratagems of Those Who Claim to Be Prophets* (حيل المتنبيين), and *On the Refutation of Revealed Religions* (نقض الاديان) clearly indicated a secular approach to the sciences that was far ahead of its time and was ill-regarded by his contemporaries. Articulating his skeptical approach to religious authority, al-Razi queried, "On what ground do you deem it necessary that God should single out certain individuals that he should set them up above other people, that he should appoint them to be the people's guides, and make people dependent upon them?" Al-Razi proceeds to answer his own question: ""He [God] should not set some individuals over others, and there should be between them neither rivalry nor disagreement which would bring them to perdition."[198]

Perhaps even more significantly for modern Islam and the ideological battle that is waged between mainstream moderate Muslims and extremist movements, this is what al-Razi had to say about the relationship between religion and violence: "If the people of this religion are asked about the proof for the soundness of their religion, they flare up, get angry and spill the blood of whoever confronts them with this question. They forbid

---

197 Walker, p.75.
198 Stroumsa, p.96.

rational speculation, and strive to kill their adversaries. This is why truth became thoroughly silenced and concealed."[199] This last statement was made in reference to the virulent attacks that he endured at the hands of his critics within the philosophical community. It is enlightening in its confirmation of the fact that early in the development of Islamic society there were extremist voices that had gained the favor of dynastic political forces and resulted in the repression of certain ideas. It is important to note, however, that the catalogue of Islamic philosophical works still contains al-Razi's dissent and criticism of the prevailing trends. It was perhaps to be expected that, so soon after the advent of the Muhammad's revelation, there would be an unfriendly reception to al-Razi's secular approach. Given his critique of the Qur'an, ("How can anyone think philosophically while listening to old wives' tales founded on contradictions, which perpetuate ignorance, and dogmatism?")[200], al-Razi was clearly positioning himself as antithetical to Islam itself and, as research so amply demonstrates, there had already been an articulation of jihad as a struggle against those who would silence expression of Islam's message. The question here is: who is being intolerant, the secular or the religious voices? As in any society, challenge to the fundamental beliefs and attitudes of the general public will produce conflict. Likewise, challenges to the "under God" clause in the U.S. Pledge of Allegiance contain the seeds of potential social conflict and violent response.

---

[199] Al-Razi, cited in Jennifer Michael Hecht, *Doubt: A History: The Great Doubters and Their Legacy of Innovation from Socrates and Jesus to Thomas Jefferson and Emily Dickinson* (San Francisco: HarperCollins, 2004) pp. 227-230.

[200] Al-Razi, cited in Seyyed Hossein Nasr & Oliver Leaman, *History of Islamic Philosophy*. (New York: Routledge Press, 1996), pp.202-203.

Like al-Razi, Abu Nasr Muhammad al-Farabi (Arabic: **أبو نصر محمد الفارابي**, or Alpharabius), borrowed heavily from Greek philosophy; unlike al-Razi, he initiated an entirely new (to Islam) method of logic constructed from neo-Platonism, particularly in his attempts to identify the existence and description of a cosmological "first cause".[201] Al-Farabi is regarded as a giant among philosophers in the Islamic tradition, particularly for his contributions toward synthesizing logical method with religious mysticism. Politically, his most significant achievement was his conceptualization of the "perfect state", based on Plato's *Republic*, with the Caliph in the place of the philosopher-king.[202] Al-Farabi perceived that "rightly guided Caliphs" (rashidun) had instituted a democratic republic, of sorts, that was preferable to any other political society. Like Plato, he believed that inferior political systems evolved from democracy; as an example of this, he cited the deterioration of the "golden age" of the rashidun into the monarchism of the Umayyad and Abbasid dynasties.[203] Like al-Razi, al-Farabi's main preoccupation in politics, as articulated in his *The Virtuous City* (al-madinah al-fadilah), seems to have been with human happiness (roughly analogous to the utilitarian school of western democratic theory that would develop nearly one thousand years later).[204] As a kind of back-handed salute to al-Razi's independent secular approach, however, al-Farabi points

---

[201] Ian Richard Netton, *Breaking with Athens: Alfarabi as Founder*, cited in Christopher A. Colmo "Applications of Political Theory", *Journal of Islamic Studies*, 19, Vol.3, 2008, pp.397–8.

[202] Marcia L. Colish, *Medieval Foundations of the Western Intellectual Tradition. 400-1400*, (New Haven: Yale University Press, 1999), p.141.

[203] Ronald Bontekoe & Mariėtta Tigranovna Stepaniants, *Justice and Democracy*, (Honolulu: University of Hawaii Press, 1997), p. 251.

[204] M.L.J. Young & J.D. Latham, *Religion, Learning and Science in the 'Abbasid Period*, (Cambridge, UK: Cambridge University Press, 2006), p.387.

to the type of political leadership desirable in a Caliph: one who respects the "conventions and religions of his society".[205]

Al-Farabi's cosmology was primarily concerned with discovering the nature of "being", rather than ruminating on the role of the "active intellect". God, for al-Farabi, was a pure and absolute transcendent being, first and foremost.[206] In developing his cosmological view of the universe, al-Farabi adopted an Aristotelian attitude regarding metaphysics; it was not the study of God, per se, it was the study of everything, or the "principle common to all things."[207] In particular, al-Farabi establishes a close connection between metaphysics and politics as a further illustration of the organic relationship between God, the universe, and human society.[208] God, seen as the "first cause" of everything in the universe, is described as "perfect, necessary, self-sufficient, eternal, uncaused, immaterial, without associate, and difficult to define." [209] Al-Farabi perceived the universe as comprising several concentric circles with the material (or sub-lunar) world existing at the center. The outermost ring was comprised of the celestial bodies, or "secondary intelligences" and was described as the "first heaven".[210] In this way, al-Farabi takes al-Kindi's concept of "intermediary agents" and imbues them with a cognition all of their own (the secondary intelligences). Al-Farabi theorizes that these

---

205 Ibid, p.387.

206 D.C. Reisman, "Al-Farabi and the Philosophical Curriculum" in *The Cambridge Companion to Arabic Philosophy*, Peter Adamson's & Richard Taylor, eds. (Cambridge: Cambridge University Press, 2005), p.55.

207 Parviz Morewedge, *Neoplatonism and Islamic Thought*, (New York: SUNY Press, 1992), p.128.

208 Majid Fakhry, *A History of Islamic Philosophical Thought* (New York: Columbia University Press, 1970), p.117.

209 Al-Farabi, *Al-Farabi on the Perfect State: Abu Nasr al-Farabi's Mabadi' Ara Ahl al-Madina al-Fadila*, R. Walzer, translator. (Oxford: Clarendon Press, 1985), p.23.

210 Deborah Black, "Al-Farabi", *History of Islamic Philosophy*. Oliver Leaman & Seyyed Nasr, eds. (London: Routledge Press, 2001), p.188.

"emanate" from the first cause (God) and must act as some sort of causal intermediaries between the God and the sub-lunar world. As D.C. Reisman points out, this represents the synthesis of "Aristotelian metaphysics of causation, highly developed Plotinian emanational cosmology and Ptolemaic astronomy".[211] Unlike his contemporaries, al-Farabi conceives of the universe as eternal simply because it is not brought into being by an act of divine will, rather it is a natural consequence of God's "being".

For al-Farabi, one of these emanations is the "active intellect" whose sole function is the actualization of the human intellect.[212] All material objects in the sub-lunar world are the product of the activity of the celestial bodies that inhabit the outer ring of the "first heaven", not the active intellect. Avicenna would later disagree with this conceptualization of the cosmos claiming that all "matter of the sub-lunar world, natural forms—including non-rational souls and the human soul with its potential intellect—and actual human thought" is the product of the active intellect.[213] It is important to note that al-Farabi sees the construction of the sciences as a way to classify material objects into genus and species based upon the differences in their substance. These differences arise from the varying substances of the celestial bodies, or "intelligences", that emanate into sub-lunar matter and changes in material objects are due to the "changes in position" of the celestial bodies in the firmament (al-Farabi's deference to astrology).[214] Finally, al-Farabi claims that as the hierarchy of intelligences regresses back to the concept of the "first cause" the scientific classification of their

---

211 Reisman, p.56

212 Herbert Davidson, *Alfarabi, Avicenna, and Averroes on Intellect*: (Oxford: Oxford University Press, 1992), p.47.

213 Ibid, p.47

214 Ibid, p.48

substances simplifies until one conceives of a being transcendent of all genus and species: God.[215]

The tenth intellect, or moon, illuminates the world of abstract thought and allows humans the capacity to think (human intellect). Human intellect is comprised of three types: potential, actual, and acquired.[216] As the potential intellect is gradually illuminated it becomes the actual intellect and begins to resemble the tenth intellect, also referred to as the "agent". This process reflects a concept borrowed from Aristotle in which it is postulated that by "knowing something the intellect become like it").[217] In this state, the actual intellect begins to resemble the agent, and the acquired intellect is developed.[218] It is important to al-Farabi that humans enlighten the potential intellect because heaven is conceived of a place where temporary distinguishing features of the human soul are extinguished and only the capacity for rationalism remains, entering into a state of "pure intelligence".[219] The role of philosophy, then, is to construct a "virtuous society" in which human souls may be guided toward enlightenment, and hence, mystical union with God, by "healing the souls of the people, establishing justice, and guiding them towards "true happiness".[220]

There is no scholarly consensus on al-Farabi's intent in constructing his theory. Some have perceived him to be a mystic intent only upon explaining philosophy's role in attaining enlightenment. This view de-emphasizes his prescriptions for a "just society"

---

215 Reisman, pp.58-59
216 Ibid, pp.61-64.
217 Ibid, p.63.
218 Black, p.186.
219 Ibid, p.186.
220 Charles Butterworth,"Ethical and Political Philosophy" in *The Cambridge Companion to Arabic Philosophy*, Adamson and Taylor, eds., (Cambridge: Cambridge University Press, 2005), p.278.

and the social utility of human happiness.[221] Others have maintained that he saw the value of using political models as a way of demonstrating "right" vs. "wrong" ethical paradigms.[222] There is even a coherent argument that al-Farabi acknowledges the futility of Islamic universalism by describing the multiplicity of moral and ethical pre-requisites that would have to be met in an Islamic society in order for it to be truly "just".[223]

Hussain ibn Abdullah ibn Hassan ibn Ali ibn Sina, or ibn Sina (**ابوعلی سینا بلخی**, or Avicenna), born in 980 CE, came from Afshana in the Persian district of Bukhara, and would finish the work begun by al-Farabi: synthesizing Aristotelian and neo-Platonic thought, thereby establishing perhaps the most highly successful of the classical Islamic philosophical schools.[224] Ibn Sina wrote during a period referred to as the "Persian Renaissance" as the once mighty empire sought to regain its footing after the disastrous Arab invasion nearly one hundred years earlier.[225] With the weakening of Abbasid control over the periphery of its empire, many local dynasties had begun to emerge, beginning with the Tahirids (809-873 CE), continuing on with a short lived nationalist movement under Ya'qub al-Safaar (the Coppersmith), and culminating in the Samanids (819-999 CE).[226] The Abbasid Dynasty had already begun the process of marginalizing the voices of dissent within the falasafiya, branding them "Mutazali"; however, loyalty to the Caliphate in Baghdad varied by region now that they were in decline and the

---

221 Black, p.191.
222 Reisman, p.68.
223 Joshua Parens, *An Islamic Philosophy of Virtuous Religions: Introducing Alfarabi* (New York: State University of New York Press, 2006), p.2.
224 Nahyan A. G. Fancy, "Pulmonary Transit and Bodily Resurrection: The Interaction of Medicine, Philosophy and Religion in the Works of Ibn al-Nafīs (d. 1288)", Electronic Theses and Dissertations, (University of Notre Dame: 2006), pp. 80-81.
225 Soheil M. Afnan, *Avicenna, His Life and Works*, (London: George Allen & Unwin LTD, 1958), p.39
226 Ibid, pp.40-41.

Sassanids saw themselves as the inheritors of a Persian culture noted throughout antiquity for its tolerance. Although nominally Sunni, the Samanid leadership was highly tolerant of Shi'ite groups and the significant Zoroastrian traditions that survived in post-Islamic Persia.[227]

Ibn Sina, after moving to the capital in Bukhara, progressed quickly in his studies, eventually studying Hanafi jurisprudence under Ismail al-Zahid.[228] Ibn Sina occupied himself with al-Farabi's question of "being", distinguishing between essence (mahiat, Arabic: جوهر) and existence (wujud, Arabic: وجود). As el-Bizri points out, these two simple terms are complicated by a series of inquiries pursued by ibn Sina that most orientalist-inspired scholars entirely misinterpret when they classify him as an essentialist. The first of these is a syntactic inquiry (lafzi) that posits essences as pre-determinants of existence. The second represents an actual, or non-syntactic, inquiry (ghayr lafzi) that encompasses both a conceptualist (zihni) and a non-conceptualist (ghayr zihni) investigation.[229] It is the dichotomy between these two latter investigations that reveals ibn Sina as an existentialist as well. Additionally, ibn Sina distinguishes between three modalities of existence: first, the idea of existence or "being" itself (wujud), then secondarily, necessity (wajib), and possibility/impossibility (mumtani). Parvis Morewedge explains the relationship between these three concepts as follows:

the notion of 'being' concatenated with 'necessity' point to necessary being; necessary being results in necessary existent; the notion of "being" concatenated with

---

227 Aisha Khan, *Avicenna (Ibn Sina): Muslim Physician and Philosopher of the Eleventh Century*, (New York: Rosen Publishing Group, 2006), p.34.

228 Jorge J. E. Gracia and Timothy B. Noone, *A Companion to Philosophy in the Middle Ages*, (Oxford: Blackwell Publishing, 2003) p. 196.

229 Nader el-Bizri, "Avicenna and Essentialism," *Review of Metaphysics* (Vol. 54, 2001), p.756

"contingency" has two possible results: if there is a cause for the case in question, then the contingency is an actual existent [such as humans], and in the case of absence of the cause, the results are non-actual contingencies such as unicorns." [230] In this way, it is possible to conceive of the dichotomy between essence (mahiat) and existence (wujud). As the skeptics of the European enlightenment would argue nearly seven hundred years later, ibn Sina claimed that the existence of objects in the material world could not be accepted merely by understanding their "essences" without reference to an ontological argument regarding the various modalities of "being" (wujud): necessity and possibility/impossibility. The impossible being of, course, cannot exist. Within the possibility/impossibility range, however, contingent beings (mumkin bi-dhatihi) have only "potentiality" to exist. They contain essences but do not exist in and of themselves, rather, they become actualized when an agent-cause imparts existence to them. This agent-cause is described as a "necessary" being (wajib al-wujud bi-dhatihi), that is to say a "necessary existent-due-to-itself". Thus, all of the objects in the natural world are true only in the sense that they derive the truth of their existence from the one necessary being (God). They begin as contingent beings with essences only and "become" necessary existents by virtue of the agent-cause; however, they do not possess their existence "in and of themselves". Only the agent-cause possesses "unborrowed existence".[231] Nonetheless, these "necessary existents due-to-what-is-other-than-themselves" (wajib al-

[230] Parviz Morewedge *The Mystical Philosophy of Avicenna*. (Binghamton: Global Publications, 2001) pp.20-21.
[231] El-Bizri, p.761

wujud bi-ghayrihi) are real and help to perpetuate the chain of existence that orders the universe and sub-lunar world.

Furthermore, the "necessary existent-due-to-itself" possesses no essence (mahiyya) besides it own existence (Wujud), and therefore is unique, alone, singular, perhaps most importantly for Islamic philosophy, "one" among all beings.[232] To elevate other necessary existents to the level of the agent-cause would be a contradiction because it would entail utilizing the differentia of genus (jins), definition (hadd), and counterpart (nadd), to distinguish between them and this would define them both as necessary existents due-to-what-is-other-than-themselves as well as necessary existents-due-to-themselves. In this way, God can be said to have no genus, no species, and is transcendent of matter (madda), quality (kayf), quantity (kam), place (ayn), situation (wad), and time (waqt).[233]

What is the relevance of Ibn Sina's metaphysical views to the conceptualization of Islam as a religion that espouses a philosophy inclusive of rational debate? First, he clearly made an attempt to reconcile rational methodology and logic with orthodox Islamic theology.[234] One of the ways he did this was by re-casting the prophets in Islamic history as "enlightened philosophers", thus constructing a bridge between

---

232 Avicenna, *Metaphysica* (Venice: Bibliothèque S. J.,1961), p.43

233 Avicenna, *Kitab al-Hidaya*, Muhammad 'Abdu, editor. (Cairo: 1874), pp. 262-3. This subject is also considered at length in two other major works: Salem Mashran's *al-Janib al-ilahi 'ind Ibn Sina* (Damascus: dar qutayba ,1992), p. 99, and Nader El-Bizri's "Being and Necessity: A Phenomenological Investigation of Avicenna's Metaphysics and Cosmology," in *Islamic Philosophy and Occidental Phenomenology on the Perennial Issue of Microcosm and Macrocosm*, Anna-Teresa Tymieniecka, editor. (Dordrecht: Kluwer Academic Publishers, 2006), pp. 243-261.

234 Lenn Evan Goodman, *Islamic Humanism*, (Oxford: Oxford University Press, 2003) p. 8-9.

revelation and rational thought.[235] In fact, this bridge was seen as so substantial that Ibn Sina conceived that it was necessary for the "active intellect" to achieve enlightenment in order for it to "become the same substance" as the "incorporeal regions" of existence.[236]

Additionally, he contributed greatly to the synthesis of the Aristotelian and neo-platonic schools of philosophy, becoming the premier Islamic philosopher of the twelfth century with his works well-read throughout Europe by people from Thomas Aquinas to Albertus Magnus.[237] He did not simply rearticulate the prescriptions of Greek philosophy, however. For example, he found the Aristotelian emphasis on induction insufficient for the sciences, instead advocating a method of experimentation and observation far ahead of the European sciences.[238]

As the eleventh century C.E. dawned, Islamic philosophers were busy translating, analyzing, and circulating the ideas of Aristotle and Plato, adapting their logical arguments in order to either forward the hard sciences or explain the complexities of Islamic theology. This period in Islamic history would become known as the "classical age", or Turath, for its context of original thought, synthesis, and advancement of scholarly debate over the span of several centuries, a context that was noticeably absent in the west. Eventually, this age would produce challengers to the adaptation of western philosophy; none was more significant for his influence than Abū Hāmid Muhammad ibn Muhammad al-Ghazālī (محمد ابن محمد الغزالی ابو حامد, or al-Ghazali). Al-Ghazali was born 1058

---

235 James W. Morris, "The Philosopher-Prophet in Avicenna's Political Philosophy", in C. Butterworth, ed., *The Political Aspects of Islamic Philosophy*, (Cambridge: Harvard University Press, 1992) pp.159-161.

236 Davidson, p.110.

237 Fancy, p.81.

238 Jon McGinnis, "Scientific Methodologies in Medieval Islam". *Journal of the History of Philosophy* July 2003: #41 Vol.3, p.325.

C.E. in a Persian province named Tus. Like the Persian thinkers that came before him, al-Ghazali was exposed to the more free-thinking styles of the Sufi movement, however, his reaction to the innovative theories and methodologies of his contemporaries was considerably more skeptical.[239] If one can summarize the highlights of Al-Ghazali's approach, it would contain the following points: metaphysical arguments do not need the hard sciences for verification; the hard sciences are not antagonistic to, nor incompatible with, metaphysical arguments; all cause and effect relationships are not unconscious processes of nature, rather, they are aspects of the rational will of God; the Greek philosophers were unbelievers, and therefore, useless to the study of the natural world. This represented a repudiation of the falsafa and their traditions of utilizing the hard sciences and the logical arguments of Greek philosophy toward understanding an Islamic conceptualization of God or the natural laws He had ordained. Al-Ghazali considered himself a Sufi mystic and did not differentiate between the natural world and God's causation, although he maintained that science was immaterial in proving the existence of the "first cause":

> "A grievous crime indeed against religion has been committed by the man who imagines that Islam is defended by the denial of the mathematical sciences, seeing that there is nothing in revealed truth opposed to these sciences by way of either negation or affirmation, and nothing in these sciences opposed to the truth of religion."[240]

Al-Ghazali was responsible for several seminal works that explained his skeptical approach: The Incoherence of the Philosophers (Tahāfut al-Falsafah), The Deliverance

---

[239] Sami M. Najm, "The Place and Function of Doubt in the Philosophies of Descartes and Al-Ghazali", *Philosophy East and West*, July-October 1966, #16, p.3-4.

[240] Sabieh Anwar. "Is Ghazālī really the Halagu of Science in Islam?" *Monthly Renaissance* , October 2008, #18, v.10. Accessed at http://www.monthly-renaissance.com/issue/content.aspx?id=1016 on 5/8/09.

from Error, (Al-munqidh min al-Dalāl), and The Revival of Religious Sciences (Ihya al-Ulum al-Din). Many scholars have outright rejected the notion that al-Ghazali embraced causality in the universe, especially because he repudiated Ibn Sina's concept of the "necessary existent-due-to-itself", but this is clearly not so. Majid Fakhri contends that Al-Ghazali rejected an ontological causality but fully embraced a logical one.[241] Ilai Alon asserts that a closer reading of The Incoherence of the Philosophers demonstrates that al-Ghazali has been misunderstood; that in keeping with his perspective that religion and science need not be adversaries, al-Ghazali simply tried to reconcile their respective approaches to causality.[242]

In doing this, Alon suggest that al-Ghazali had two main objectives: to preserve the possibility of the miraculous dimension of God's intervention in human affairs and to assert God's omnipotence.[243] It is his defense of these two concepts that makes al-Ghazali a conservative, if not reactionary, for his day; it is clear that his motives were to directed toward reconciling the natural and metaphysical views of causation in order to demonstrate that certain physical laws of causation could be used to validate orthodox arguments. Simply stating that he accepted a type of "causational argument" does not make him either rational or scientific; it merely suggests that he was capable enough to engineer a successful co-opting of the secular methodologies of logic and argumentation in pursuit of his own orthodox agenda. His conclusion is, in essence, a re-statement regarding the capriciousness of God; in al-Ghazali's opinion, all processes of causation in

---

241 Majid Fakhri, *Islamic Occasionalism* (London, Allen & Unwin, 1950), p.60.
242 Ilai Alon, "Al-Ghazali on Causation". (*Journal of the American Oriental Society*, Vol.100, #4, Oct-Dec, 1980), p.397.
243 Ibid, p.398.

the universe can be suspended, if not outright violated, by the arbitrary decisions of the divine will.[244]

Although Ghazali contended that Greek philosophical influence had led Islam astray, he nonetheless embraced a type of intellectualism through which the "wise"' could come to know and understand the divine. For everyone else, the "commoners", the mystical experience was to be preferred, as it yielded the same truths only through more approachable means.[245] It is important to note that al-Ghazali augmented his intellectualism with a reliance on traditional salafi skepticism regarding scholarly influences. Ibn Taymiyyah's insistence that "proofs" be demanded for the legal opinions rendered by the various mahdabs, including Hadith chains that could be authenticated to the time of the "companions of the prophets" (salafi), once used to criticize innovations in taxation, now was being resurrected and adapted, by al-Ghazali, as an orthodox reaction to philosophical innovation.[246]

Politically, al-Ghazali was motivated to rearticulate a criticism of istihsan (juristic preference of the sort utilized by Abu Yusuf in his innovative tax schemes) in this case wielded by the hyper-imamate preferred by the Isma'ili sect of Shi'ite Islam.[247] It was an Isma'ili claim that the imam (community religious leader) wielded an infallibilty (ta'lim, or "initiatic knowledge").[248] Al-Ghazali did not view the office of the imamate as illegitimate; conversely, he defended it as an office assumed by the caliph to whom

---

244 Ibid, p.399.
245 Binyamin Abrahamov, "Al-Ghazali's Supreme Way to Know God." *Studia Islamica*, No.77, 1993, p.141.
246 Ibid, p.400.
247 Carole Hillenbrand, "Islamic Orthodoxy or Realpolitik: Al-Ghazali's Views on Government." *Iran*, Vol.26, 1988, p.82.
248 Ibid, p.82.

obedience was due as prescribed by Sharia law. This was never the Isma'ili understanding of the office, however. The imam stood astride Shar'ia law itself in the Shi'ite community, interpreting it at his will.

Al-Ghazali's belief that the hard sciences could be verified through mystical experience led him, paradoxically, to refute the influence of interpretation and speculation in politics. Whereas in many other religious traditions mysticism has contributed to a flexible, evolutionary, understanding of God, Al-Ghazali's Sufism held that orthodox belief remained unchanged by the mystical experience. The mystical experience, he maintained, was but one vehicle by which the individual could come to understand and accept the unchanging truths contained in the Qur'an and Hadith.

This position would inform Al-Ghazali's belief regarding another centuries-old tradition in Islam: toleration; specifically, the political toleration of apostates, or those who fell away from the orthodox Islamic community. The murder of Islam's third Caliph, Uthman ibn Affan, in 656 C.E. had spurred a debate between radical Kharijites, who had developed an argument justifying assassination, and the Mu'tazilite position which, as discussed earlier, was a moderate position allowing for the superimposition of reason over tradition.[249] This debate was noteworthy because it clearly defined the fault lines between those who would fall back on the "traditional" reliance on istishan as a model for scholars and the more radical elements of the Islamic community who sought to recast "tradition" as containing an admonition for the individual Muslim to eschew scholarly debate and cleave to strict adherence to the literal Qur'an. It fore-shadowed the

[249] Frank Griffel, "Toleration and Exclusion: al-Shafi'i and al-Ghazali on the Treatment of Apostates" *Bulletin of the School of Oriental and African Studies*, University of London, Vol. 64, No. 3 (2001), p.339.

Christian debate, centuries later, between the Lutheran position of "sola scriptura" and the twin pillars of Catholic Church tradition (a synthesis of Scriptural interpretation and the magisterium).

This still represents the conundrum for many in the twentieth century regarding Islam; how is "tradition" defined? Mainstream Sunni Islam has coexisted, relatively peacefully, alongside its monotheistic cousins, Judaism and Christianity. It has done this by relying upon a flexible approach to integrating Western styles of governance, all the while pointing to this early Mu'tazilite period in which Islam found parallel concepts in Greek and Islamic philosophy and created a hybrid culture capable of contributing unique features to both European and Islamic political theory. But many in the West only acknowledge the rhetorical call to "tradition" by modern radicals who get something out of conflict with the West. With an increasing call for the imposition of Sharia law and the universal caliphate, these radicals embrace an eschatological view of world dominance for Islam.

The essential question for Muslims in the eleventh century, however, was simply this: could a Muslim (in this case, the very Caliph himself) follow logic and reason to the point of negation of Qur'anic exhortation and still call himself a Muslim? This question would inevitably draw into the debate the various fiqhs and their methodologies for determining orthodox Qur'anic interpretation. Within the Kharijite community itself, there had emerged two positions: the radicals insisting upon the obligation to kill "unbelievers" (defined as those who had either gravely sinned or those who stood apart from traditional Islamic beliefs), the moderates agreeing that membership in the Islamic

community hinged upon one's right belief and virtuous lifestyle, but who could not justify the killing of even a heterodox Muslim.[250] We may simplify these positions by characterizing the opposing sides as the "traditionalists" (Hanafi/Mu'tazilite) and the "literalists" (Hanbali/Salafi/Ghazalian).

The traditionalist response to al-Ghazali was to accept and re-affirm the primacy of the Qur'an and to prescribe complete obedience to its teachings, all the while advocating a more moderate approach to those who diverged from this orthodoxy. Al-Ghazali had essentially won the more important battle of determining orthodox belief while a disagreement regarding the proper course to take in dealing with dissent within the Islamic community continued. The scholar who would articulate this moderate position was Abu Bakr Muhammad ibn Abd al-Malik Muhammad ibn Tufail al-Qaisi al-Andalusi, more commonly referred to as Ibn Tufayl (1105-185 CE).

Ibn Tufayl was born in the Spanish city of Guadix, just north of Granada in 1105 CE.[251] Commissioned by the sultan to complete a work that answered al-Ghazali's Incoherence of the Philosophers, he worked tirelessly on a work entitled the Hayy Ibn Yazan, or "Alive, son of the Awake", which was to become his chief literary accomplishment. With his ties to the sultanate (his patron was Sultan Abu Ya'qub Yusuf), he was able to recommend Ibn Rushd (Averroes) to replace him at his post with a commission to translate the works of Aristotle.[252] Between the two scholars, an

---

250 Ibid, p.339.

251 Lenn Evan Goodman, *Ibn Tufayl's Hayy Ibn Vaqzan*. (New York: Twayne Publishers, 1972), p.3. Goodman's work is the accepted English translation of ibn Tufayl's classic and is generally regarded as an authentic and accurate rendition. I will be using this translation exclusively in the following notes as I describe the development of and themes contained in the story.

252 Ibid, p.5.

impressive catalogue of Greek/Arabic philosophy was produced with a rearticulation of the Avicennian position regarding the malleability of the human intellect, an object they saw as a blank slate molded by education and life experience. Although this characterization of the intellect as a "tabula rasa" originated in Aristotle's works, it had been overlooked until Ibn Tufayl resurrected it, thus exposing many European philosophers to the concept and allowing them to incorporate it into their political treatises.

Predictably, the ultimate aim of the *Hayy Ibn Yaqzan* was to reconcile religion with philosophy and reason, a common theme among the Islamic falsafah (هفسلف), a general term applied to the school of Islamic philosophers, much like the Greek philosophia. The setting and the characters of the story should be familiar to western readers: a small child (Hayy) left abandoned on a tropical island with no human supervision, raised by animals (Rudyard Kipling, Daniel Defoe, and Edgar Rice Burroughs are but a few of the authors in the west who later borrowed a variation on this theme, not to mention the influence that the mythic foundation of Rome might have played in Tufayl's work).[253] The entire story is an allegory of Hayy's journey toward self-realization and understanding of the world around him, including the nature of God and man's relation to the divine.[254] Some of the questions posed by Tufayl: what is education? What is personal development? How does human growth take place? How can humans attain fulfillment?[255]

---

253 http://www.muslimheritage.com/topics/default.cfm?ArticleID=808.
254 Goodman, p.5.
255 Ibid, p.7.

There are seven stages, each lasting seven years, of Hayy's personal development: infancy, childood, adolescence, young adulthood, and three "heptads" of full adulthood culminating in the transition towards becoming a "senior" at fifty (an age signified by both Plato and Aristotle as signifying full maturity).[256] During infancy and childhood, Hayy is raised by a wild doe. He is consumed with his own sense of helplessness; totally dependent on the doe for his sustenance; he experiences profound trust, but also feelings he cannot control, such as jealousy and desire. At seven years of age, Hayy attempts to do something for himself (clothing himself with the remains of a dead bird) in order that he might intimidate other wild creatures.[257] As he becomes more independent, Hayy begins to take care of the doe, learning responsibility, then grief, as the doe expires of old age.

The death of the doe begins a process that culminates in Hayy's spiritual awakening. His initial reaction is to cut open the doe's carcass in order to find the part of the body that has caused its death. Finding the heart, Hayy senses that something invisible has left the organ. Afterwards, he discovers fire and associates it as similar to the invisible quality that had left the doe's organs: the soul.[258] At twenty-one, Hayy studies the stars and celestial bodies and comes to the conclusion that they are part of one indistinguishable whole:

> "Seeing the whole universe as in reality one great being, and uniting all its many parts in his mind by the same sort of reasoning which had led him to see the oneness of all bodies in the world

---

[256] Lutz Richter-Bernburg, "Medicina Ancilla Philosophae: Ibn Tuyfal's Hayy Ibn Yaqzan" in *The World of Ibn Tufayl: Interdisciplinary Perspectives on Hayy ibn Yaqzan*, Lawrence I. Conrad, ed. (Leiden: E.J. Brill, 1996), p.110.

[257] Goodman, p.111.

[258] Ibid, p.114.

of generation and decay."[259]

Soon, cosmological matters consume his psyche. It seems inconceivable to Hayy that the origin of the universe predated the origin of time. If the universe came to be within time, then there must have been some cause. But why create the universe now rather than at the beginning of time? Had there been some change in the causal agent? In posing these questions, Hayy reluctantly accepts the limits of human reason:

> "For some years, Hayy pondered over this problem, but the arguments always seemed to cancel each other." [260]

Hayy begins to perceive a divine presence identified as the NEB (Necessarily Existent Being), a being transcendent of physical attributes and approachable only through non-physical, esoteric means. Similarly, he begins to understand that his own corporeal being is inadequate to the task of interacting with this divine presence, thereby distinguishing it from his "true self".[261] Hayy comes to despise his physical body, as he senses that his "true self" yearns to attain the qualities of the NEB, thus differentiating him from other non-sentient life forms.[262] In order that he might take on the attributes of the divine, but still sustain life, Hayy concludes he must practice three forms of mimesis: an attempt to resemble an inarticulate animal (for life sustenance); an attempt to resemble the celestial bodies (in order to discipline his mind which, in turn, puts the physical body in motion); an attempt to resemble the NEB itself (in order to achieve the beatific experience).[263]

---

259 Ibid, p.130.
260 Ibid, p.131.
261 Ibid, pp.135-136.
262 Ibid, p.142.
263 Ibid, p.143.

The first step entailed the regimen of a strict diet, eating only to sustain life, without practicing gluttony: fruit (making full usage of seed to replenish its supply on the earth), meat, and eggs, always with the intent to replace a life taken in the need for sustenance.

The second step involved three phases. First, Hayy would emulate the attributes of celestial bodies in their relation to the world: giving warmth, cooling down, radiating light, thickening and thinning things down. Next, he would emulate the attributes of celestial bodies that they possessed in and of themselves: transparency, luminescence, purity, transcendence, and circular motion around some central object.

The final phase of the second step was to emulate the attributes of celestial bodies in relation to the NEB: continuous, undistracted awareness of the NEB, longing for Him (personification of the NEB), total submission to Him, devoted execution of His will, moving only at His pleasure, and remaining in the "clasp of His hand".[264] The pursuit of these desired qualities, in mimesis of the Necessarily Existent Being, entailed various "practical actions" on the part of Hayy. The first action Hayy took was to take pains that any plant or animal life form not consumed for the sustenance of life would never be harmed, made ill, or encumbered in any way, without Hayy's attempting to aid it.[265] In addition, Hayy was to ensure that he always remain clean, washing frequently. Finally, in accordance with his Sufi sensibilities, Ibn Tufayl has his protagonist discover the importance of ritualistic circular motion. Hayy devotes himself to circling the island, walking around his house, circling stones, and generally spinning in place, until dizziness

---

264 Ibid, pp.145-147.
265 Ibid, pp.146-147.

overcomes him.[266] Thus, Sufi mysticism is established as the unsophisticated initiate's method of arriving at the truths that philosophers have pondered over for centuries; the nature of God, His intervention in human affairs, and His purpose for humankind.

Emulating the various attributes of the NEB would help to prepare the world for the outpouring of the spirit-forms created by the Him. In this way, Ibn Tufayl emphasized the balance between physical discipline (in order to achieve the esoteric experience of God) and the freedom of revelation. Thus, Islam could be envisioned as a subjective experience, with the objective of perceiving objective truths. For Ibn Tufayl, revelation (obtained by Sufi ecstatic experience) reaffirmed orthodoxy, yielding the same results obtained through human reason. But what of those whose subjective experience did not lead them to the same objective reality; what was the Islamic community to make of infidels?

Hayy eventually meets two individuals from a neighboring island, Absal and Salaman. Absal values solitude and the individual search for the inner meaning of things. Salaman prefers to observe rituals and laws intended to regulate individuals in society and their proclivity for pursuing their passions that ultimately endanger one another (perhaps a reference to istishan?). Both men belong to a religion that heavily relies upon symbols to convey meaning (here it is difficult to tell if ibn Tufayl is placing the two within the context of Islamic tradition or has concluded that they are heirs to the Christian Church with its icons and pictoral representations of divine principals).[267]

---

[266] Ibid, pp.146-147.

[267] Ibid, p.156. Riad Kocache's translation of Ibn Tufayl's classic (Hayy Ibn Yaqzan, Riad Kocache, ed. London: Octagon Press, 1982) clearly identifies the two as Muslims who worship Allah (p.53).

Hayy attempts to teach the two men the truths that have been revealed to him in his mystical experience, but is ultimately rejected. Hayy's response to this rejection is revealing. He concludes that he must apologize to Absal and Salaman, allow them to worship as they please (confident in his own mind that they are going to Hell), and to "mind his own spiritual welfare".[268] Hayy's experience in quantifying the physical universe and the spiritual principals that surround him, in addition to his dialogue with Absal and Salaman, clearly places him within the Mutazilite tradition and its reliance on kalam (the discipline of seeking theological revelation through dialectic and discussion). Although the Salafi movement would be heavily critical of kalam, ibn Tufayl, in "Hayy Ibn Yaqzan", clearly attempts to reconcile the mystical experience of God with the ability to intellectually acknowledge His truths, a position that would eventually inspire perhaps the greatest philosophical work in Medieval Christendom, Aquinas' *Summa Theologica*.

In addition, ibn Tufayl uses his familiarity with the Greek sciences to emphasize Ghazali's approach to the issue. Ibn Tufayl refers to Ghazali's "Book of Knowledge" (Ihya Ulum al-din), in which the conservative philosopher clearly embraces the sciences as an alternate path to spiritual awakening, thus distinguishing himself from the Salafi political agenda that would attempt to incorporate his rigid views on orthodoxy. These views would eventually inspire twentieth century extremists such Sayyid Qut'b and their attitude toward "shirk" (the turning away from religious rules and obligations put upon the Muslim, in accordance with the Qur'an). It is very important to note that ibn Tufayl distinguishes al-Ghazali from this trend in Islam from the very beginning. Finally, ibn

---

[268] Ibid, p.154.

Tufayl is responsible for articulating a politically enlightened approach toward non-conformity of religious belief in his advocacy of tolerance toward heretical Muslims and non-Muslim (predominantly Christian and Jewish) traditions in society. Perhaps most significantly, there is nothing in ibn Tufayl's works to suggest that this attitude could not be adapted to regard the non-monotheistic religions with which Islam coexisted with the same degree of non-confrontational acceptance.

Aside from the specific philosophical concepts expressed in the *Hayy Ibn Yaqzan*, the work reveals another dimension within Islam. As Jennifer London notes, fable in Islamic society provided an alternative method for non-dominant groups to use language in the construction of new public forums for dialogue with the political authority and how it should govern.[269]

Abū'l-Walīd Muhammad ibn Ahmad ibn Rushd, or ibn Rushd (**أبود الوليد محمد بنحمد بن رش** or Averroes**),** born in 1126 CE, would eventually mount the most significant classical challenge to the claims of Hanbali/Salafi orthodoxy initiated by ibn Taymiyyah and reaffirmed by those who focused on al-Gahzali's reaffirmation of orthodoxy. Ibn Rushd, like so many intellectuals in the Islamic community, came from a long line of legal scholars, the most notable being his grandfather, Abu Al-Walid Muhammad (d. 1126), who was a judge in the Almoravid dynasty presiding at Cordoba, in Spain.[270] With the overthrow of the dynasty by the Almohads, ibn Rushd fled to Marrakesh where

---

269 Jennifer London, "How to do Things with Fables: Ibn Al-Muqaffa's Frank Speech in Stories from Kal La Wa Dimna." *History of Political Thought***,** Volume 29, Number 2, 2008, p.210.

270 Barry S. Kogan, *Averroes and the Metaphysics of Causation* (Albany: State University of New York Press, 1985), p.9

he devoted his studies to astronomy and the hard sciences. In Marrakesh he met his eventual benefactor, ibn Tufayl, who would speak on his behalf to the Almohad Caliph, Abu Ya'qub Yusuf (d.1184).[271] The encounter was described in detail by ibn Rushd.[272] The Caliph's philosophical challenge to ibn Rushd constituted a dangerous question with profound implications for the debate over orthodoxy: "What is their [the philosophers'] opinion of the heavens? Are they eternal or created?"[273]

His increasing devotion to reason over mysticism, however, would bring him into conflict with the Caliph he served, resulting in his banishment. In exile, he would produce nearly 20,000 pages of study covering topics ranging from early Islamic philosophy, to logic in Islamic philosophy, Arabic medicine, Arabic mathematics, Arabic astronomy, Arabic grammar, Islamic theology, Sharia (Islamic law), and Fiqh (Islamic jurisprudence).[274] He specifically answers Ghazali's "Incoherence of the Philosophers" with his own "Incoherence of the Incoherence" (Tahafut al-Tahafut), defending Aristotelianism against those who viewed it as incompatible with Islam.[275]

---

[271] Ibid, p.10

[272] Ibid, p.10 "When I entered in the presence of the Prince of Believers, Abu Ya'qub, I found him alone with Abu Bakr ibn Tufayl. Abu Ya'qub began praising me, mentioning my family and my ancestors, and graciously including in his description things beyond my real merits. The first thing the Prince of Believers said to me after asking me my name, my father's name, and my lineage, was, 'What is their opinion of the heavens?' referring to the philosophers. 'Are they eternal or created?"….The Prince of Believers, however, perceived my fear and reticence and turned to ibn Tufayl. He began to speak with him about the question he had asked me, and he mentioned what Aristotle, Plato, and all the philosophers had said about it. Along with this, he presented the objections of the people of Islam regarding it. I thus saw in him a copious memory which I would not have expected even in one of those who are occupied with this matter full time."

[273] Ibid, p.10.

[274] Seyyed Hossein Nasr and Oliver Leaman, *History of Islamic Philosophy* (New York: Routledge Press, 1996), p.314.

[275] Samuel Sadaune, *Inventions et decouvertes au Moyen-Age dans le monde* (France: Quest Publishers 2006) p.112.

Ibn Rushd's argument unfolded in two ways. First, he attempted to deconstruct the Ghazalian position. Secondly, he asserted that the accepted Aristotelian position had been mischaracterized by Avicenna (ibn Sina), thus resulting in a "straw man" for al-Ghazali to attack. In addition, ibn Rushd completed an extensive analysis of Plato's Republic in which he drew parallels between the philosopher's theoretical state and the early Caliphate. In essence, the writings of ibn Rushd represent a seminal moment in Islamic philosophy; his works extolled the virtues of rationalism, inspiring even European thinkers to critically evaluate revealed religion, and mounted a powerful challenge to the emerging Islamic consensus on revelation and revealed truth.[276] If ibn Rushd were successful, Islam could have blossomed into a thousand petals of secular thought, influencing everything from the hard sciences to political philosophy and ethics, much the same way the Church adapted to modernity in Europe by separating the respective spheres of the Magisterium and the Acadame. The failure of Islam to discard the emerging Salafi consensus and the subsequent purge of the Mu'tazilites from the political debate relegated much of ibn Rushd to the ash heap of Islamic philosophies. He would remain a seminal influence on European academic thought, but in the east he never attained to the status of a major influence, never developed a school of adherents, never established himself as the "John Locke" of Islam, which is, in fact, what he had the potential to be.[277] The impact that the expurgation and burning of his works had upon

[276] Stefan Wild, "Islamic Enlightenment and the Paradox of Averroes" (*Die Welt des Islams*, New Series, November 1996, Vol.36, #3, Islamic Enlightenment in the 18th Century, p.380.
[277] Ibid, p.380.

Islamic political philosophy cannot be overstated; indeed, it represented, in the words of H.H. Schaeder, "the downfall of Islamic culture."[278]

Turning ibn Sina's contention on its head, ibn Rushd claimed that "existence preceded essence".[279] The implications of this position are significant in a number of ways. First, the sciences (physics, mathematics, and metaphysics) may be understood as having corresponding types of existence: Physics: existence in matter; Mathematics: things existing in matter, but treated apart from matter; and Metaphysics: principals existing absolutely not in matter (separate intelligences, spirits of the spheres) and universals common to sensibles and intelligibles (unity, plurality, actual, potential, etc.[280] Secondly, ibn Rushd rejected the application of universality to physical objects. To make a rather complex discussion short, ibn Rushd rejected the Platonic view that all objects have, as their essence, a universal root form. Universals, he maintained, exist in the only in the mind. This articulated a type of materialism that comprehended objects in the universe by their physical attributes, thus allowing humans to develop universals based on them.[281]

Thus, ibn Rushd's query resurrected the central philosophical debate over "the active intellect" and causation in the universe. The Ghazalian position on this question was quite firm and the attitude toward dissenters rather dogmatic: anyone who agreed with the notion that the human "acquired intellect" (a non-corporeal entity) was a result

---

278 H.H. Schaeder, *Der Eintritt der Araber in die Weltgeschichte* (Munchen, 1960), p.214.

279 Irwin, Jones, "Averroes' Reason: A Medieval Tale of Christianity and Islam", *The Philosopher*, Autumn 2002, (2), p.90.

280 Isaac Husik, *Averroes on the Metaphysics of Aristotle*. (*The Philosophical Review*, Vol.18, #4, July 1909), p.420.

281 Ibid, p.423.

of "emanations" from the "active intellect", possessed of gradations of good and evil, and hence the soul basis for judgment after death (a belief that rejected the resurrection of the body), was an infidel.[282] The efficacy of revelation and prophecy vs. reason also hinged on ibn Rushd's response to the Ghazali position as well: if, as ibn Tufayl maintained, all acquired intellects were varied by virtue of these "emanations" from the active intellect, then human reason could help believers to acknowledge and enter into the highest stages of mystical union with God.[283] If Ghazali was correct, then the equality of all acquired intellects by virtue of their direct causation from God (or the "active intellect"), eliminated all intermediary entities and methods and necessitated direct mystical union with God without resort to the nuances of human reason.[284]

Additionally, ibn Rushd challenged the cultural assumptions that had dominated Arab and Islamic society, particularly as they had prescribed the role of women. Summarizing the opinions of previous jurists on this question, he observed:

> "There is a general consensus among the jurists that in financial transactions a case stands proven by the testimony of a just man and two women on the basis of the verse: 'If two men cannot be found then one man and two women from among those whom you deem appropriate as witnesses'. However; in cases of Hudud, there is a difference of opinion among our jurists. The majority say that in these affairs the testimony of women is in no way acceptable whether they testify alongside a male witness or do so alone. The Zahiris on the contrary maintain that if they are more than one and are accompanied by a male witness, then owing to the apparent meaning of the verse their testimony will be acceptable in all affairs. Imam Abu Hanifah is of the opinion that except in cases of Hudud and in financial transactions their testimony is acceptable in bodily

---

282 Sami S. Hawi, *Islamic Naturalism and Mysticism*. (Leiden: E.J. Brill, 1974), p.61

283 Ibid, p.79

284 Ibid, p.79 Hawi concludes that whereas Ghazali went so far as to "destroy reason to achieve mysticism, ibn Tufayl's Hayy reached his highest degrees of felicity through the aid of rational relevation, from which he then rose to an immediate experience of God."

> affairs like divorce, marriage, slave-emancipation and raju‘ [restitution of conjugal rights]. Imam Malik is of the view that their testimony is not acceptable in bodily affairs. There is however a difference of opinion among the companions of Imam Malik regarding bodily affairs which relate to wealth like advocacy and will-testaments which do not specifically relate to wealth. Consequently, Ash-hab and Ibn Majishun accept two male witnesses only in these affairs, while to Malik Ibn Qasim and Ibn Wahab two female and a male witness are acceptable. As far as the matter of women as sole witnesses is concerned, the majority accept it only in bodily affairs, about which men can have no information in ordinary circumstances like the physical handicaps of women and the crying of a baby at birth."[285]

Ibn Rushd also conducted a thorough review of Islamic criminal jurisprudence, questioning the draconian punishments for consumption of alcohol and other vices such as gambling. Claiming that such punishments were never a feature of Sharia law during the lifetime of the Prophet, he identified them as innovations of subsequent shuras of the first "rightly guided" Caliphs (the Rashidun):

> "The general opinion in this regard is based on the consultation of ‘Umar with the members of his Shura. The session of this Shura took place during his period when people started indulging in this habit more frequently. ‘Ali opined that, by analogy with the punishment of Qadhf, its punishment should also be fixed at eighty stripes. It is said that while presenting his arguments, he had remarked: ‘When he [– the criminal –] drinks, he will get intoxicated and once he gets intoxicated, he will utter nonsense; and once he starts uttering nonsense, he will falsely accuse other people’.[286]

In a treatise that predated Aquinas' Summa Theologica by decades, entitled Islamic Philosophy of Law, ibn Rushd described natural law and its "higher intent" to

---

[285] Javed Ahmad Ghamidi,"The Law of Evidence", Shehzad Saleem (translator). *Monthly Renaissance*, 12 (9), September 2002), available online at http://www.monthly renaissance.com/issue/content.aspx?id= 447, accessed on 5/12/09.

[286] Javed Ahmad Ghamidi, "Islamic Punishments: Some Misconceptions", Shehzad Saleem (translator). *Monthly Renaissance* 12 (9) September 2002, available online at: http://www.monthly-renaissance.com/issue/content.aspx?id=445, accessed: 5/14/09.

protect "religion, life, property, offspring, and reason."[287] Given the importance of Aquinas' work and its subsequent influence on the formation of theories regarding civil government, plurality, property, and the autonomous nature of man from Hobbes to Rousseau, it can be stated that ibn Rushd was the man who introduced to the world the very concept upon which all these civic virtues rested: the universal natural rights of humankind. This discovery would bear fruit in the West; in the East, however, either the centrifugal forces of empire or the need to codify legal processes emerging now in the gathering steam of the Salafi movement, resulted in a hostile reaction to ibn Rushd's ideas.

The issues debated in the centuries to come (centuries that would span the Crusades, the Reconquista of Spain, the post-World War I mandate, and the overlay of European colonialism upon Islamic societies) would resonate throughout the Islamic community. Would Islam become unmoving in its adherence to the Salafi idea of God's absolute transcendence, approachable only through revelation and mystical experience, or could philosophy and reason aid in conceptualizing and achieving the human capacity for union with the divine in its multiplicity of intelligences? Those were, at least, the immediate metaphysical questions to be answered.

Perhaps a more vexing question persisted. Could Islam take the nascent philosophical concepts so crucial to the secularization of the metaphysical debate, profound in their political implications as well, and institutionalize them, thereby making

---

[287] A.G. Roeber, "What the Law Requires is Written on Their Hearts: Noachic and Natural Law among German-Speakers in Early Modern North America", *The William and Mary Quarterly, Third Series* 58 (4) October 2001, p.887.

them useful in the construction of a democratic culture? Or would Salafism (the chief opposition to the secular falsafah) rise as a viable alternative and lay claim to be "true Islam"? In many ways, the modern Twentieth Century debate has been dominated by two competing claims of Islamic orthodoxy, both of them rooted in history and philosophy. One, based on the principles of the early documents, the early Hadith, and more moderate mahdabs, emphasized wise rule, multiculturalism, secularism, respect for human rights, and a democratic process; the other, characterizing the first as a version of Islam that had lost its way, based on strict adherence to Sharia law, the integration of Islam into the public space so as to exclude non-Muslim influences, a religious basis for political authority, and the militarization of society against the corrupting influence of secularism and the West. The Ghazali position was such an attempt to portray the nascent claims of rationalism as the innovation of polytheistic (or at least pantheistic) thinkers in Islamic philosophy who were to be clearly branded as infidels. Moreover, this position sought to impose upon Islam a "bunker mentality" in which the foreign influences of Greek philosophy and logical argumentation could be diminished, if not outright expunged.

Chapter Six: The Radicalization of Islam

Before we can assess the impact of twentieth century Islam, we must come to terms with the impact that jihad and the jizyah had upon Muslim society, for they have been the two most significant forces that have, since the "Golden Age" of Islam, beat back the philosophical influence of the falsafah (examined in the last chapter) on Islamic governance. Because of these forces, orientalists have been all too eager to portray Islam as a religion "spread by the sword" throughout several historical epochs, and interestingly enough, twentieth century "revivalists" like Sayyid Qut'b have jumped to embrace this view as a blueprint for their own revolutionary agendas in the modern era.[288] Muslim apologists have alternately sought to neutralize the term both by assigning a non-militaristic value to the term (stressing "greater jihad" as an internal struggle of the believer against sin), and referring to the "lesser jihad" as a defensive obligation that must cease when the opponent sues for peace (Qur'an 2: 190, 22: 39, 4: 75, 4: 84, 4: 90-1, 8: 39).[289] Moulavi Cheragh Ali, as early as 1885, was the first to use linguistic and textual analysis of Arabic and the Qur'an to suggest that jihad was never intended to be a call to offensive war, particularly in light of the aggression of the Quraysh and based on the supercedence of more general exhortations to tolerance ("there is no compulsion in religion"-- Qur'an 2:256).[290] The way in which Qut'b establishes the blueprint for

---

[288] Suleman Dangor, "Jihad: Between War and Peace", *Alternation*, Special Edition 2, 2005, p.257.

[289] Clinton Bennett, & Geros Kunkel, "The Concept of Violence, War, and Jihad in Islam", *Dialogue and Alliance,* 18:1, Spring/Summer, 2004, p. 31.

[290] Moulavi Chiragh Ali, *A Critical Exposition of the Popular Jihad* (Calcutta: Thacker, Spink and Co, 1885) P.iii.

twentieth century jihad, however, calls for a closer look at the concept and how it has been applied at various times.[291]

Jihad

As discussed in Chapter Three, Surah 2:191-193 first explains the military obligation of the Muslim to fight for Islam. Arab caravans had been routinely attacked by Muhammad and his followers, as had been the norm for centuries before the advent of Islam, leading many in the apologist camp to conclude that these types of raids did not qualify as jihad. In Chapter Four, the first offensive military campaigns to expand the reaches of Islam were examined (the wars of the Riddah). It is clear that no matter what apologists have attributed to the intent of the Prophet Muhammad, to relegate jihad to either an internal struggle or a defensive struggle, jihad was used fairly effectively, and early on, to push the political boundaries of Islam out to the borders of the known world. It is also true that after its startling success, the empire of Islam stagnated and had to accept cohabitation with the Christian west as it became impractical to challenge the growing political clout of Europe, leading many to discard jihad.

It is important to look at the ways in which jihad has been interpreted since the early expansion in order to assess whether or not the term is an absolute call to arms agains non-Muslims. As in the cases of consultation, consensus, election, jurisprudence,

---

[291] "It [jihad]has the right to destroy all obstacles in the form of institutions and traditions that restrict man's freedom of choice. It does not attack individuals nor does it force them to accept its beliefs. It attacks institutions and traditions in order to release human beings from the pernicious influence which distorts human nature and curtails human freedom."—Sayyid Qut'b
John Calvert, *Sayyid Qut'b and the Origins of Radical Islamism*. (New York: Columbia University Press, 2010), p.232.

minority rights, compulsion in religion, et al, Islam has been divided, fiercely debating the meaning of such terms within the context of Qur'anic revelation. Why should jihad be any different?

For instance, the Qur'an exhorts:

> "And fight those whose who have not faith in God, Nor in the Hereafter, and [who] forbid not What God and His Prophet have forbidden, And [who] are not committed to the religion of Truth among those who have been given the Book, Until they pay the tribute and are humbled." (9:29)

Earlier in the Qur'an, however, it states:

> "Defend yourself against your enemies, but do not attack them first; God hates the aggressor" (2:190).

The first of these verses is a general exhortation to war accompanied by a requirement that must be met in order for hostilities to cease. The second verse contains a command with a major qualification, namely, that Muslims must never precipitate aggression; they may only fight in defense of their faith. For some Muslim apologists, the second verse takes precedence because the first presupposes an already existing state of war, the second sets out specific requirements for war in the first place.[292] Some scholars, on the other hand, contend that the earlier verse (2:190) was written during a time that the Muslim community was vulnerable and under attack, thereby representing a tactical warning not to provoke the enemy, in this case, the powerful Quraysh tribe. According to this view, the later verse (9:29) was "revealed" at Medina by the Prophet once the

---

[292] Esther Sakinab Quinlan, "The Jihad Question". *Tikkun* Magazine, (September/October 2002, V.17, #5,), p.55, accessed at: http://tikkun.org/nextgen/the-jihad-question.

Muslim armies had defeated the Quraysh on the battlefield more than once, and were more confident of victory. There just isn't enough evidence from the Prophet's time to suggest either way how jihad was to be interpreted.

What is certain is the way in which the political aims of Muslim leaders interpreted jihad in the subsequent years. From the various schools of fiqh on the matter:

- Hanafi (10th Century C.E.): "Jihad is a precept of Divine institution. Its performance by certain individuals may dispense others from it. We Malikis maintain that it is preferable not to begin hostilities with the enemy before having invited the latter to embrace the religion of Allah except where the enemy attacks first. They have the alternative of either converting to Islam or paying the poll tax, short of which war will be declared against them."[293]
- C.E. Hanbali (14th Century): "Since lawful warfare is essentially jihad and since its aim is that the religion is God's entirely and God's word is uppermost, therefore according to all Muslims, those who stand in the way of this aim must be fought. As for those who cannot offer resistance or cannot fight, such as women, children, monks, old people, the blind, handicapped, and their likes, they shall not be killed unless they actually fight with words (by propaganda) and acts (by spying or otherwise assisting in the warfare."[294]

[293] Ibn Abi Zayd al-Qayrawani, *La Risala (Epitre sur les elements du dogme et de la loi de l'Islam selon le rite malikite)*, trans. Leon Bercher, 5th ed. (Algiers, 1960), p.165.

- Hanafi (14th Century C.E.): "If the infidels, upon receiving the call [invitation to Islam]

  neither consent to it nor agree agree to pay capitation tax, it is then incumbent on the Muslims to call upon God for assistance, and to make war upon them, because God is the assistant of those who serve Him, and the destroyers of His enemies, the infidels, and it is necessary to implore His aid upon every occasion; the Prophet, moreover, commands us to do so."[295]
- Shafi'i (10th Century C.E.): "The mushrikun [infidels] of Dar al-Harb (the arena of battle) are of two types: First, those whom the call of Islam has reached, but they have refused it and have taken up arms. The amir of the army has the option of fighting them…in accordance with what he judges to be in the best interest of the Muslims and most harmful to the mushrikun… Second, those whom the invitation to Islam has not reached, although such persons are few nowadays since Allah has made manifest the call of his Messenger…it is forbidden to…begin an attack before explaining the invitation to Islam to them, informing them of the miracles of the Prophet and making plain the proofs so as to encourage acceptance on their part; if they

---

[294] Ibn Taymiyyah, from Rudolph Peters, *Jihad in Classical and Modern Islam*. (NJ: Markus Wiener Publishers, 1996), p.49.

[295] The *Hidayah*, vol.2, p.140, included in Thomas P. Hughes "Jihad", *A Dictionary of Islam* (London: W.H. Allen ed. 1895), p.243-248.

still refuse to accept after this, war is waged against them and they are treated as those whom the call has reached."[296]

Several things may be gleaned from these passages. First, the requirements for non-aggression are reasserted: Muslims are not to initiate hostilities. The Qur'anic rule of "no compulsion in religion," however, is conveniently jettisoned. The rule, as it has been interpreted by all four fiqhs, has been reworked to mean that rejection of the invitation to Islam initiates a military compulsion to spread Islam. Second, the Shafi'i injunction includes a minor deviation from the norm established by the other three fiqhs: those who have refused to accept the invitation must have "taken up arms" in order to provoke jihad. This may be a minor point clarified by the concluding passages, but minor points have an interesting way of providing adequate room for interpretation in discussions and academic debates. Can such a qualification provide Islamic scholars the necessary materials with which to construct a potential Islamic polity that that could live in peaceful coexistence with its non-Muslim neighbors and religious minorities under its jurisdiction?

This is no minor question. Indeed, it is crucial in determining whether Huntington is right that Islam has "bloody borders", and whether Islam is capable of constructing a pluralist civil society necessary for a successful democratic culture to thrive.[297] Finally, these passages reveal that there is adequate space for an apologist interpretation: that the injunction to fight until "religion is God's entirely" may be simply

---

[296] Al-Mawardi, *The Laws of Islamic Governance*, Asadullah Yate, trans. (London: Ta-Ha, 1996), p. 60.

[297] Samuel Huntington, *The Clash of Civilizations*, p.258: "Islam's borders *are* bloody and so are its innards."

a call for non-Muslim cultures to respect the non-compulsive aspect of religion by abandoning their hostility to non-Christian religions, specifically Islam, and opening their societies to the free expression of Islam, including its efforts to proselytize.

Regardless of the opportunity for interpretation that these passages afford, it is accurate to say that their interpretation in Islamic behavior in the centuries subsequent to the time of the Prophet was profoundly militaristic. The noted Muslim scholar Ibn Khaldun, himself a Maliki jurist, noted:

> "In the Muslim community, the holy war is a religious duty, because of the universalism of the mission, and [the obligation to] convert everybody to Islam either by persuasion or by force.…the other religious groups did not have a universal mission, and the holy war was not a religious duty for them, save only for purposes of defense….Islam is under obligation to gain power over other nations."[298]

Thus, it must be acknowledged that the historical development of an aggressive militaristic interpretation of jihad has been a fait accompli. What compounds this is the recognition that the whole of Islam is a cluster of "legal norms, obligations, prescriptions and prohibitions for its adherents to live and govern themselves by."[299] These norms, prescriptions, and obligations can also be interpreted and construed by the various fiqhs to fit with an internal logic and applied to every Muslim. Given the vagueness of holy writ, how can one authoritatively argue the alternative position?

Additionally, the apologist refuge of relying upon the jizyah tax as a model of Islamic pluralism is tempered, once again, by the historical application of the tax in

---

[298] Ibn Khaldun, *The Muqadimmah: An Introduction to History*, Franz Rosenthal, trans. (New York: Pantheon, 1958), p.473.

[299] Bernard K. Freamon, "Martyrdom, Suicide, and the Islamic Law of War: A Short Legal History". *Fordham International Law Journal*, Vo.27, #1, Article 11, 2003, p.302.

Muslim society. In fact, the jizyah conferred inferior social status upon non-Muslims. In the fourteenth century C.E. Ibn-Kathir noted:

> "Allah said, 'until they pay the jizyah,' if they do not choose to embrace Islam, 'with willing submission,' in *defeat and subservience* [italics added], 'and feel themselves subdued,' disgraced, humiliated, and belittled."[300]

What have the trends of jihadist rhetoric and minority taxation historically done to affect Islam's ability to construct a pluralist society from within, and a peaceful coexistence with the west? Obviously, they have bequeathed militant elements a theoretical basis from which to integrate a hostile political strategy against their perceived enemies: western societies and western influenced Muslims. It also gave them a historical model from which they could legitimize their version of Islam as the "true Islam", despite the centuries of philosophical debate over consensus, consultation, pluralism, and civil rights that took place parallel to the political use of jihad.

These trends continued well past the early period of expansion and pervaded the non-Arab dynasties that eventually replaced the Abbasids in the thirteenth century C.E. Imperial rule had already begun to disintegrate, with the Caliphate ceding power to local emirs and the replacement of the enlightened philosophical rule of central leadership with local interpretations of Sharia law all but a fait accompli.[301] After the Mongol conquests of the thirteenth century, this process continued unabated. The Mongols, of course, were a non-Arab, non-Muslim, population that acculturated themselves to the region they

---

[300] Ibn Kathir, *Tafsir Ibn Kathir*, (Riyadh: 2000), vol.4, p.404-407.

[301] Roy R. Anderson, Robert Seibert, & Jon G. Wagner, *Politics and Change in the Middle East: Sources of Conflict and Accomodation.* (NJ: Prentice Hall, 1993), p.38.

conquered. Eventually, they would come to embrace the most militant features (the jihad and the jiyah) of the rapidly disintegrating and increasingly localized political structure they had inherited, in an attempt to fortify their raw political power over a culturally diverse empire. The Turkic-speaking tribes that carried out much of the expansion under the Mongols became notorious for the ways in which they waged jihad against their oppenents. Celebrating their victory over Medini Rai at Chanderi, the armies of Babur:

> "…made general massacre of pagans in it [the city]. A pillar of pagan heads was ordered set up on a hill northwest of Chanderi and converted what for many years had been a mansion of hostility, into a mansion of Islam.[302]

As later groups like the Ottomans rose to establish dynasties of their own, a familiar strategy would emerge. Like Muslims in North Africa and Spain, Islamicized Turks would at first adopt the more extreme militant features of the jihad and jizyah, only to moderate them once their power was consolidated by developing systems by which they could govern their territories with the least amount of friction from minority populations under their jurisdiction. The Millet System, for example, would become a model for pluralist governance allowing for the free exercise of minority religions such as Judaism and Christianity, providing their adherents paid the obligatory jizyah tax, which had been restored to a governing tax as opposed to a wartime tribute. In this way, the enduring legacy of the falsafah survived, and the model of Islam as a liberal, tolerant, enlightened, political philosophy endured.

---

[302] Andrew Bostom, *The Legacy of Jihad*, p.459.

Wahhabism

It is worth noting that the most impactful Islamic social movement of the modern period, Wahhabism, influenced by an eighteenth century reformer, Muhammad ibn Abd al-Wahhab (1703–1792), emerged from the Najd, a region of Arabia far removed from the tensions of east-west territoriality, in the mid eighteenth century C.E. nearly one hundred years before many western style reforms would be adopted by governments in the Middle East, either as a result of colonialism or direct rule under the post-WWI mandate system.[303] Thus, it can accurately said that "political Islam" (Wahhabism's twentieth century offspring) developed not as a reaction to Western influences in the region, but almost exclusively as a reaction to local custom and the practices within Islam that had developed since the disintegration of the Abbasid Dynasty.

Al-Wahhab taught that Islam had degenerated into a hodgpodge of local customs and popular devotions and traditions that violated the injunctions of the Qur'an and the way of the Prophet (hadith). As such, Wahhabism borrowed heavily from Salifism as a legal theory, but would effectively adopt the political strategies of jihad and jizyah adapted with such success by the Mongol and Mughal armies. It would be Wahhabism that would begin to consolidate the Salafi principles into a moral code that would be employed by later authors such as Sayyid Qut'b and transformed into the visage of radical Islam.

Although Wahhabism never directly responded to the political ideas of the west and its territorial and political claims in the region, it nonetheless reacted to the centuries-

[303] Natana J. DeLong-Bas, *Wahhabi Islam: From Revival and Reform to Global Jihad*. (London: I.B. Tauris and Co. LTD, 2004), p.7.

long effects on Islam caused by contact with western philosophical schools and religio-cultural norms. As seen in the previous chapter the western influences on Islamic philosophy were extensive. Many of the metaphysical claims made by the falasifah integrated western philosophical concepts but produced changes in Islamic society that were unheard of as of yet, even in the west, the embrace of the secular sciences being but one. Along with these changes came a more lax attitude regarding the expression of religion. Perhaps influenced by Christian pilgrims, Muslims flocked to the tombs of saints and employed various methods to ward off demons and other evil spirits.[304]

Almost simultaneous to the rise of Wahhabism was the rise of the Saudi monarchy.[305] It is therefore futile to disengage politics from the religious movement; they are one and the same. The Salafi claim on orthodoxy was restated in Wahhabist terms by emphasizing two undercurrents of doctrine: first, what was needed by Muslims was a return to the "fundamentals" of the faith, and second, the best method by which that return could be accomplished was the "strict implantation of all its injunctions and prohibitions" in a strict legal code.[306] Although Wahhabism would come to be associated with this code, it is noteworthy that its founder, Shaikh Muhammad ibn 'Abd al-Wahhab, never associated his teachings with any particular fiqh, nor did he embrace the concept of "independent reasoning" (ijtihad) indicative of the Hanbali school and embraced by the Salafi movement.[307] In fact, there is much to suggest that he was as forward a thinker as any regarding gender roles within Islam, maintaining that legal rights belonged to women

---

304 Ibid, p.8.
305 Kepel, p.50.
306 Ibid, p.50.
307 David Dean Commins, *The Wahhabi Mission and Saudi Arabia* (London: I.B. Tauris, 2006), p.12.

in marriage contracts, divorces, and education, and that much of the opposition to Wahhabism principally came from Hanbali quarters.[308]

Much of the "fundamentalist" flavor of Wahhabism stemmed from a Saudi political need to assert control over Arabia, including its cultic centers such as Mecca. To this end, the Saudi government erected the Commission for the Promotion of Virtue and Prevention of Vice, hoping to end centuries-long devotional practices and reform movements in the rural regions which had always served as a rallying point for rebellion against the urban centers of administration.[309] In this way, the Saud family exploited the ideas of the Wahhabi movement and subordinated them to the needs of the state. This was the origin of considerable tension, twice resulting in open hostilities, with the political authorities emerging more powerful in both instances.[310] It is in the attempt to distinguish right worship from wrong worship (shirk) that many of the concepts that worked so effectively for consolidation of Saudi authority would also come to be used by the Islamic political movements of the twentieth century, the first of which culminated in the formation of the Muslim Brotherhood in Egypt in 1928.

The Modernists

The modernists must be separated into two waves; the first wave was heavily influenced by Wahhabism, focusing primarily on the excellence of Islam and the need to oppose western colonialism. The primary first wave authors were Sayyid-Jamal al-Din al Afghani, Sayed Ahmad Khan, and Sayyid Abul A'la Maududi. The second

---

[308] DeLong-Bas, p.124-128.
[309] Cyril Glasse, *The New Encyclopedia of Islam* (Lanham, Maryland: Rowan & Littlefield, 2001), pp.469–472.
[310] Barry A. Rubin, *Guide to Islamicist Movements* (New York: M.E. Sharpe, Inc. 2010), p.372.

wave consisted of thinkers who regarded Islam as inferior, or tainted by its association with politics. To authors such as Ali Abd al-Raziq, Shibli Shumayyil, Salama Musa, Ismail Mazhar, and Hussayn Fawzi, Salafists and those who advocated a "return" to traditional Islam were simply ignorant.

Sayyid-Jamal al-Din al Afghani

The Ottoman Empire had, since the Concert of Europe, coveted acceptance by the European powers and inclusion in the community of nations that had been constructed since the time of Metternich. Continuing the work of Ahmed III (1703-30), Sultan abdul Mejid (1839-61) initiated the tanzimat reforms that would eventually draw upon the influence of al Afghani's ideas. Simply put, al Afghani conceived of an Islam that possessed the inherit elements of modernism (scientific inquiry and technological advance) without having to avail itself of western political ideas or cultural influences.

Born a Shi'ite Afghan Turk, Sayyid-Jamal al-Din alAfghani (سید جمال الدین افغانی) envisioned a unified Islam counterbalancing the colonialism of the west, militarily and culturally, by developing its own scientific norms and modern technology.[311] That is not to say that he eschewed religion. Citing the Godlessness of western science (in Darwin's theory and others'), he sought, in a treatise entitled *Refutation of the Materialists*, to point out the correct relationship between religious thought and the sciences. First, religion should rightly put the sciences in their proper perspective, not as in the west, where the notion that the existence of God was unprovable had cast religion into a subordinate position; rather, philosophical rationalism

[311] Sydney Nettleton Fisher & William Oschenwald, *The Middle East: A History*, 4th ed. (New York: McGraw-Hill Publishing Co. 1990), p.340.

and religion were irreconcilable. There could only be one solution to this dilemma: religion should be exalted over the sciences, whose only role ought to be to level the playing field between the west and the *dar al-islam*, nothing more.[312] Second, the materialism of the west had corrupted the sciences, making them serve the narrow interests of consumers, thus denying the citizen the "castle of happiness" that was possible only through the six pillars of faith (three beliefs and three qualities):

- The vice-regency of humans on earth
- The nobility of the human community
- The excellency of the religious community
- Honesty
- Modesty
- Truthfulness

For al Afghani, the ultimate expression of rationality, and that the same time the prescription for the perfect society with the most upright citizens, could be found in Islam. This was a radical argument. Coupled with Wahhabism, this view had the potential to create a powerful new engine for extending the jihad to the *dar al-harb*, the abode of war. All societies had to be invited to Islam; it was simply the superior force in history, uniting all (science, philosophy, human traditions, the state), under the auspices of a rigorous and demanding ideology. Al-Afghani would become a tireless reformer, writing in both Afghanistan and Egypt, and advising the Afghan government to resist British political interests. He is now considered to be the father of pan-Islamism, which predates pan-Arabism by approximately fifty years. With just a few more contributions from other thinkers, his vision would emerge full-blown in the works of Sayyid Qut'b.

---

[312] Fisher & Oschenwald, p.341.

Sayed Ahmad Khan

From Afghanistan and Egypt, the first wave of modernism spread to India. Working as a jurist for the British East India Company, Sayed Ahmad Khan (سر سید احمد خان) at first advocated that Arabs should remain under the rule of the British Raj. After the Indian rebellion of 1857, he began to reevaluate his position, producing a seminal work: "The Causes of the Indian Revolt", which pointed out many of the glaring deficiencies of British rule.[313] He became known as a nationalist because of his embrace of a Hindu-Urdu polity, in which he viewed India as a ""beautiful bride, whose one eye was Hindu and, the other, Muslim". Khan helped to inspire the Deobandi movement in India, as well.

These Deobandi movements (founded in 1867) were comprised of religiously and politically conservative elements, that is to say traditional (as opposed to fundamentalist) Muslims. Muslims that have identified themselves as fundamentalist, or Salifists, since the time of Ibn Taymiyyah, have *reinterpreted* Islam in opposition to what they perceive to be a deviation from the original ethos of Islam embodied in the layers of traditions that have been added over the centuries. This, of course, is completely subjective. Traditionalists claim to have preserved the original ethos by defending it against the innovations of the fundamentalists. Deobandi scholars were influenced by the Hanafi school of jurisprudence (it will be remembered that this was the school of Abu Yusuf), which is the most moderate, traditional, fiqh.

---

[313] Maulana Nadeem-ul-Wajidi "Sir Syed and Maulana Qasim Nanotvi", Jadid Khabar, 17-10-2011). Accessible at: http://www.sunniforum.com/forum/showthread.php?88467-Sir-Syed-and-Maulana-Qasim-Nanotvi-ra&s=5bfa219ad1b11badf11955e22849b882.

So, if Khan originally embraced a multicultural view of India, promoted the value of western academia, and inspired a traditional moderate movement like the Deobandi, one which opposed the partition of India in order to create a Muslim state, Pakistan, why is he considered part of the first wave of modernists, the very progenitors of radical Islam? First, while it can certainly be said that Sayed Khan's original motivation was merely to increase awareness and understanding between British and Muslim cultures in India, allowing the British an easier path to rule as they came to appreciate the customs and beliefs of the Muslim population, at the same time, affording Muslims opportunities under British rule by providing them exposure to European educational norms; it is just as important to note that he began focusing *exclusively* on his aligarh (ھڑگ یلع کیرحت) agenda of western-style education for Muslims in India, eventually opposing Indian nationalism and championing the cause of Arab separatism.

Second, it is important to understand why the Deobandi movement opposed partition of India. The political division of India into two regions, thus creating the nation of Pakistan, was originally conceived of by secular thinkers. Quaid-i-Azam Mohammad Ali Jinnah, the founder of Pakistan, envisioned a "modern democratic state to be run strictly on the basis of merit and where all citizens will be equal before the law…" In Jinnah's view, "Hindus would cease to be Hindus and Muslims would cease to be Muslims, not in the religious sense, because that is the personal faith of each individual, but in the political sense as citizens of the state."[314] Although the religious views of both Khan and the Deobandi were decidedly Hanafi, both would come to

[314] Abdus Sattar Ghazali, *Islamic Pakistan: Illusions & Reality* (Pakistan: Ghazali, 1999), p.1.

support the establishment of *madrasas* (مدرسہ), schools that taught only the Muslim citizen, with a curriculum that increasingly and exclusively focused on training in the Hanafi texts. Additionally, Al-Afghani himself clearly rejected Jinnah's constitutional democracy as a workable solution to create a harmonious Muslim-Hindu polity in Pakistan.[315]

Finally, although a third group, the Taliban, an offshoot of the Deobandi movement, carries on the Hanifi tradition into the twentieth century, their reliance upon the Hanifi fiqh is less substantive than it is methodological; the tradition only informs them as to what texts are authoritative to consult, not as to what moral/ethical/political agenda the organization should pursue. Consequently, "the fusion of Pashtun tribal traditions" has colored their interpretation of Hanifi legal precepts, thus producing a more radical political agenda.[316] For all of these reasons, Sayed Ahmad Khan and the Deobandi movement may be rightly considered to have contributed to the development of radical Islam in the twentieth century.

Sayyid Abdul A'la Maududi

Sayyid Abdul A'la Maududi (سید ابوالاعلیٰ مودودی) represents the essential link between the first wave modernists and the rise of radical Muslim political movements of the twentieth century. Intensifying the attack on Pakistan as a secular Muslim state, A'la Maududi gave voice to the increasing swell of support for the creation of an Islamic state

---

315 Nikki R. Keddie, *Sayyid Jamal ad-Din al-Afghani,A Political Biography* (Berkeley: University of California Press, 1972), pp. 225–26.

316 Joshua T. White, "Understanding the Taliban: Assessing Religious Categories of Analysis" (DIIS: *Religion and Violence*, February 2012), p.3, available at http://www.diis.dk/graphics/Publications/ReligionViolencePapers/Understanding%20the%20Taliban.pdf.

that relied exclusively on sharia law for its social and political context.[317] Whereas his predecessors had focused on vaguely criticizing constitutional democracy as a distinctly European invention that could not possibly work within Islam, A'la Maududi embraced democracy as an inherently Islamic concept. Two things must be said about this.

First, A'la Maududi clearly envisioned a need for a constitution. This constitution was to be based on sharia law, which (depending on the fiqh one followed) did not automatically establish the institutions of a constitutional representative democracy. Since A'la Maududi's formal education was abruptly halted upon the death of his father, identifying which fiqh he adhered to is problematic. It seems his views were more or less a synthesis of current ideas on the relevancy of Islam to politics.

Second, his view of Sharia law was such that it defined:

> "family relationships, social and economic affairs, administration, rights and duties of citizens, judicial system, laws of war and peace and international relations. In short, it embrace[d] all the various departments of life."[318]

This view of Sharia law, of course, seems to preclude the type of civil society in which representative institutions flourish in some societies. But then not all democracies are contingent on the existence of a vibrant civil society and an Islamic democracy, in particular, need not have been as well. Nonetheless, the Caliphs had historically embraced a representation of diverse interests, despite Maududi's assertion of a truncated civil society, as they had valued the precepts of sura and ijma even when they involved non-Muslim populations. For A'la Maududi, these terms relegated representative

---

[317] S.V.R. Nasr, *Mawdudi and the Making of Islamic Revivalism* (New York: Oxford University Press, 1996), Ch. 4.

[318] Sayyid Abul A'la Maududi, *Islamic Law and Its Introduction* (Lahore: Islamic Publications, Ltd, 1955), p.57.

institutions impotent as law-making devices, relegating them to mere "law-finding" missions.[319] This aspect reveals how modern Islamic states view sharia law in the context of a democratic culture. Elizabeth Shakman Hurd notes that Egyptian authorities set up a two pronged test to determine the extent to which Sharia law affected statutory law. In the case of a man who objected that his daughter's school forbade his daughter from wearing the niqab (face covering), the Egyptian courts ruled that in examining sharia law:

> "the authenticity of the referenced text be proven beyond a doubt… This prong only arose when the law derives from Hadith or Sunah (i.e., the Prophet's commandments to his companions). The second part of the test required that there be one absolutely clear meaning of the text. When the revealed texts were uncertain in their meaning (thereby necessitating itjihad, or interpretation), then no judge could reverse the decision of another (i.e., there is no itjihad hierarchy). However, when the revealed texts were unambiguous and authentic, there was by definition no room for itjihad, and any judge could reverse a decision that contradicted what God has commanded.[320]

Third, A'la Maududi introduced the idea of "Islamic revolution" into the lexicon of Islam, adapting it to precept of jihad, which he now saw as an obligation to make war on the entire non-Muslim world:

> "Islam wishes to destroy all states and governments anywhere on the face of the earth which are opposed to the ideology and programme of Islam, regardless of the country or the nation which rules it. The purpose of Islam is to set up a state on the basis of its own ideology and programme, regardless of which nation assumes the role of the standard-bearer of Islam or the rule of which nation is undermined in the process of the establishment of an ideological Islamic State. Islam requires the earth—

---

319 Maududi, *Islamic Law*, p.77.

320 Elizabeth Shakman Hurd, *Religious Liberty in Western and Islamic Law: Toward a World Legal Tradition*, (New York: Oxford University Press, 2012), p.130.

> not just a portion, but the whole planet .... because the entire mankind should benefit from the ideology and welfare programme [of Islam] ... Towards this end, Islam wishes to press into service all forces which can bring about a revolution and a composite term for the use of all these forces is 'Jihad'. .... the objective of the Islamic ' jihād' is to eliminate the rule of an un-Islamic system and establish in its stead an Islamic system of state rule."[321]

No more succinct sentiment than that could have served as a rallying cry to political Islam and worldwide jihad; a rallying cry that was answered by the Muslim Brotherhood.

The Muslim Brotherhood

In reaction to Wahhabism and the first wave of modernists, particularly A'la Maududi, a number of twentieth century modernist thinkers emerged to criticize the idea of politicizing Islam. In 1925, an Egyptian, Ali Abd al-Raziq, published a scathing rebuke of the caliphate entitled "Islam and the Principles of Government" in which he argued that politics had essentially tainted Islam and its capacity to affect personal transformation in its adherents.[322] Other modernist authors included Shibli Shumayyil, Salama Musa, Ismail Mazhar, and Hussayn Fawzi, who essentially castigated Islamic "traditionalists" as "ignorant reactionaries".[323] This answer to Wahhabism, al-Afhgani, and the first wave of modernist authors represented another in a long succession of debates between two fundamental positions in Islam: either Islam was the model of inclusion and tolerance capable of peace and democracy which had coexisted for centuries with the west, or it had to "return" to the pure Salifi-oriented model debated by

---

321 Sayeed Abdul A'la Maududi, *Jihad in Islam,* (Lahore: Islamic Publications, Ltd., 1955), p.6, 7, 22.
322 Adnam Musallam, *From Secularism to Jihad: Sayyid Qut'b and the Foundations of Radical Islamism*, (Westport, CT: Praeger Publishers, 2005), p.5.
323 Ibid, p.6.

Ibn Taymiyyah and others during the golden age of philosophy; a model, it must be emphasized, that never dominated the thinking of Muslim rulers throughout the Abbasid period. Such a Salafi model commissioned a continuous jihad upon the non-Muslim world. The struggle between Salafists and moderates would become primarily a twentieth century conflict when an Egyptian, Hassan al-Bannah, formed the Muslim Brotherhood in 1928 in order to defend the fusion of Islam and state which had been created primarily in the Saudi kingdom by Wahhabists.

The Muslim Brotherhood would also come to represent a focal point for those who opposed pan-Arabism, which attempted to incorporate and utilize secular Western political models so that modern Arab states might be formed with a minimum of political opposition, identify citizens of such states based on an ethnic designation (Arab) rather than a religious set of beliefs, and unify the Arab world against the continued existence of the state of Israel. Pan-Arabism failed notably in many of its key objectives; what it did achieve, however, particularly through two decades (1950-1967) in Egypt, was the absolute oppression of political groups within the state that had adopted "traditionalist" Islam as an ideology, particularly those formed by rival ethnic identities.

Sayyid Qut'b

The Brotherhood was thus created as an organization that was intended to bridge various Islamic movements with an overarching religious and political ideology. The Muslim Brotherhood proclaimed, "Allah is our objective; the Quran is our law; the Prophet is our leader; Jihad is our way; and death for the sake of Allah is the highest of

our aspirations".[324] Nothing could have indicated with more clarity the direction political Islam intended to take into the twentieth century and beyond. Much of what the Brotherhood became was due to the influence of one man, Sayyid Qut'b (بطق دیس), whose writings became increasingly hostile to the Arab state in Egypt after an assassination attempt in 1954 against its president, Abdel Nasser, and the subsequent suppression of the Brotherhood.[325]

To be sure, there was a sense of betrayal on the part of Muslims in Egypt, and particularly in the mind of Qut'b, as Nasser had sought their support against the secularist national government that had been the result of British colonialism since 1922. Although Qut'b contributed to the revolution in 1952, it soon became clear that the new president had no intentions of allowing Islam to contribute ideas to the formation of the new Egyptian state. Qut'b would be imprisoned after the attempt on the president's life, tortured, released briefly in 1964, rearrested, charged, convicted of attempting to overthrow the government, and eventually hanged in 1966. Qut'b's ideas would also formulate the basis of radical Islam for the next half a century.

Qut'b laid out a very systematic opposition to secular Arab rule based on:

- The idea that Islam was a complete system of moral, juridical, and political norms

---

[324] Intelligence Research Program: http://www.fas.org/irp/world/para/mb.htm.

[325] Paul Berman, *Terror and Liberalism* (New York: W.W. Norton and Company, 2003), p.63.

- A limited adaptation of sura (consultation) in which the ruler was obliged only to consult *some* of the ruled, and not a general exhortation to free and open elections[326]
- An opposition to nationalism (the construction of the state upon an ethnic identity effectively obstructed the effort to offer the entire Islamic world a blueprint by which Islam would become the central ideology of the state)
- Hostility toward Jews (in 1950, he would pen "Our Struggle against the Jews")[327]
- Freedom from "jahaliyyah" (جاهلية), or ignorance. This ignorance consisted of:
    - Incorrect knowledge and usage of the Qur'an[328]
    - The idea that humans needed rulers or human institutions with which to govern (instead, Qut'b foresaw Muslims consulting the Qur'an directly for self-discipline, a kind of "anarcho-Islam")

Several things must be said about Qut'b's system.

First, his criticism of the way in which the Qur'an had been used by Muslims centered on the observation that the holy book had been consigned to the realm of academic discussion (possibly an allusion to his distaste of the syncretism with western philosophy that had typified earlier epochs). Qut'b saw the Qur'an as a revolutionary

---

326 Emmanuel Sivan, *Radical Islam: Medieval Theology and Modern Politics* (New Haven, CT: Yale University Press, 1985), p.73.

327 Bassam Tibi, *From Sayyid Qut'b to Hamas: The Middle East Conflict and the Islamization of Antisemitism*, (Yale Initiative for the Interdisciplinary Study of Antisemitism Working Paper Series, http://www.isgap.org/wp-content/uploads/2011/10/bassam-tibi-online-working-paper-20101.pdf).

328 Sayyid Qut'b, *Milestones.* (University of California: International Islamic Publishers, 1981), p. 7

blueprint for the reordering of human societies and the emancipation of humankind from the unjust oppression of human rulers.

Second, his anarchic view was the result of an evolutionary thought process. Originally, he had embraced the idea of an enlightened dictatorship in which Qur'anic norms would be enforced, but eventually embraced the idea of a vanguard movement (the influence of Marx?) in which a holy jihad would be waged to bring down the old secular institutions of Arab governance, to be followed by the imposition of shariah law and the eradication of human rulers.[329]

Finally, his interpretation of jihad itself underwent an evolution. Originally, he cleaved to the view of jihad as a defensive struggle, later he would come to embrace it as an indispensable offensive military strategy in the struggle to free the world from jahiliyyah.[330]

The Rise of Islamism

It can be said that the work of two men, Sayyid Abdul A'la Maududi from the second-wave modernists, and Sayyid Qut'b in Egypt, formed the corpus of ideas that would come to establish the ideology of the Islamist movement from the 1960's to the 1970's.[331] Within little more than a decade, from 1967 until 1979, Radical Islam would benefit from the confluence of two geo-political factors. First, the humiliating results of the Six Dar War in 1967 laid bare the fundamental failures of the pan-Arab movement,

---

[329] Sivan, p. 73.

[330] A.E. Stahl,"'Offensive Jihad' in Sayyid Qutb's Ideology." *International Institute for Counter-Terrorism.* 24/03/2011. (http://www.ict.org.il/Articles/tabid/66/Articlsid/914/currentpage/5/Default.aspx).

[331] Gilles Kepel, *Jihad: The Trail of Political Islam* (Cambridge: The Belknap Press of Harvard University Press, 2002), p.35.

both in terms of geo-political strategy and the ability to fundamentally improve the quality of life of most Arabs. Second, the OPEC cartel decided to significantly raise the price of oil to unprecedented levels in world markets, allowing huge amounts of cash to flow to sub-national groups. As landless and discontented Palestinian populations were moved about the map from occupied territories to Jordan and Syria, patience was wearing thin with secular Arab nations that had promised retaliation upon Israel for the seizure of their lands. Other groups arose to replace them, educated by madrasses funded by an influx of petro dollars from Saudi Arabia, as a part of a general Islamic revival centered on the ideas of Qut'b and Maududi.

Although groups that utilized terrorist methodology had existed before, like the Muslim Brotherhood, Fatah, the Palestinian Liberation Organization, and the Popular Front for the Liberation of Palestine (Fatah, for example had been formed as early as 1954), they were neither committed to Islam as a political ideology, nor did they look much past their stated goal of Palestinian nationalism. As Saudi money poured in, some of these older groups experienced a metamorphosis and became social welfare networks focused on alleviating the suffering of the Arab poor whose lives had benefitted little under the government-led development of secular Arab states. Part of the services provided by such organizations was education, and the principle ideas being taught were Islamist ideas.

By 1979, there were two major developments that indicated the upward trajectory of political Islam: the establishment of grass roots identity-based social welfare networks funded by petro-dollars that utilized the madrassa as a tool for indoctrination, and the

dramatic rise of a Shi'ite religious figure who would effectively tap into the growing and tangible frustration with secular governments throughout the Middle East. The unexpected overthrow of Shah Muhammad Reza Phalavi in Iran showed that the allure of Islamism and its possibilities for social action had reached well beyond the Sunni Arab world, and that even Shi'ite traditionalism could be co-opted to make way for modern jihad.

The Iranian Revolution

Interestingly, it would be in Shi'ite Iran, not Egypt (where Qut'b was being persecuted by the Nasser regime) or Pakistan (where Maududi's Jamaat-e-Islami party was having trouble gaining traction), that this ideology would form the basis for an Islamic revolution. As Gilles Kepel has noted, this movement would be the result of two forces, one politcal, the other social. First, militant radicals began blending Marxism and Third World activism with reinterpeted Shi'ite doctrines; this would constitute the political front. Second, religious figures such as the Ayatollah Khomeini would confront the secular rule of Muhammad Reza Phalavi, the Shah of Iran, with an anti-modernist agenda.[332] The astute Ayatollah would enlist the support of the militants in a bold move designed to appeal to the middle class intelligentsia while at the same time inspiring the underclass who had suffered mightily under the modernist policies of the Shah. In this way, he was effectively able to tap into the broad sentiment for change among several groups without affording either group the opportunity to question whether the kinds of change they desired were in any way compatible.

---

[332] Kepel, p.37.

For example, whereas Khomeini's religious views have been described as "reactionary", another religious thinker, Ali Shariati, represented a synthesis between Shi'ism and Marxism, diverging from religious orthodoxy to disagree with the Ayatollah on the significance of the "Shi'ite lamentation" (a ritual observance of the martyrdom of Ali, the fourth caliph).[333] For traditional Shi'ite Muslims such as the Ayatollah, this commemoration represented a retreat from politics, as a religious expression of disdain for the politcal world, in anticipation of return of the true ruler, who would come in the messianic form of the twelfth Imam who had been in occultation since 874 C.E. Shariati's position was that this religious observance represented an opportunity to carry on the struggle of the fourth caliph, as he had been martyred opposing the unjust rule of Yazid, into the twentieth century against secular rule. In this way, Shariatri was appropriating the ideas of Sayyid Qut'b who had established that jihad was the surest way to defeat the oppressor class and free the world from jahaliyyah. By adapting his reactionary views ever so slightly, Khomeini was able to avail himself support from Shariatri's supporters, all the while proclaiming a return to the fundamentals of Shi'ism. As Daniel Phillpot points out, "In the 1960's, Shiite clerics such as Ayatollah Ruholla Khomeini and lay intellectuals such as Ali Shariati challenged the passivity of traditional Shiite teaching about politics and argued instead that it was a religious duty to overthrow unjust states and establish 'Islamic governance' in their place."[334]

---

[333] Kepel, p.38-39.

[334] Daniel Philpott, *God's Century: Resurgent Religion and Global Politics,* (New York: W.W. Norton and Co. 2011), p.30.

The Construction of an Islamic State? The Islamic Republic of Iran

Clearly, political Islam had cleared the way for the removal of secular leadership in Iran. What took its place? Was the state constructed by Khomeini compatible with Islamist ideas? Khomeini had already shown a willingness to compromise his religious orthodoxy in order to accommodate political necessity in his compromise with Ali Shariati. That sat well with Islamists, because though they had tried to position themselves as "fundamentalists", their movement, from the formulation of the Deobandi movement to the ideas of Sayyid Qut'b, had always involved the subordination of Islam to a political agenda. The newly installed Ayatollah, however, was an established traditionalist. Now that he had achieved power, would his government include the essential elements required for it to be considered an "Islamic state"?

Atif Salahuddin seems to think not:

> "This situation regarding legislation is not acceptable from Islam. By definition the Shariah provides all the laws needed for the Islamic state from Allah سبحانہ وتعالیٰ…. There is no basis for the Iranian Majlis to set itself up to enact new legislation. To argue that such a body do so is to imply that the laws revealed by Allah سبحانہ وتعالیٰ through his Messenger are incomplete. In the Caliphate an elected Majlis would advise and account the Caliph over his actions, not legislate. Moreover by having a body to ensure all laws passed will comply with Islamic law actually provides the scope for much deviation under the guise that the general Islamic principle(s) have been met, subject to an individual's interpretation and belief. With the Shariah present there is no need for anybody to ensure such vetting since such man-made laws should not be enacted in the first place.
> Piecemeal and partial application of the Shariah such as the penal code is meaningless in the absence of the entire system of Islam which is designed to structure the whole of society; such a system cannot be Islamic if other sources

> of legislation are applied. This is a clear contravention of what Khomeini stated before the revolution and something that is not allowed in Sunni or Shia Islam."[335]

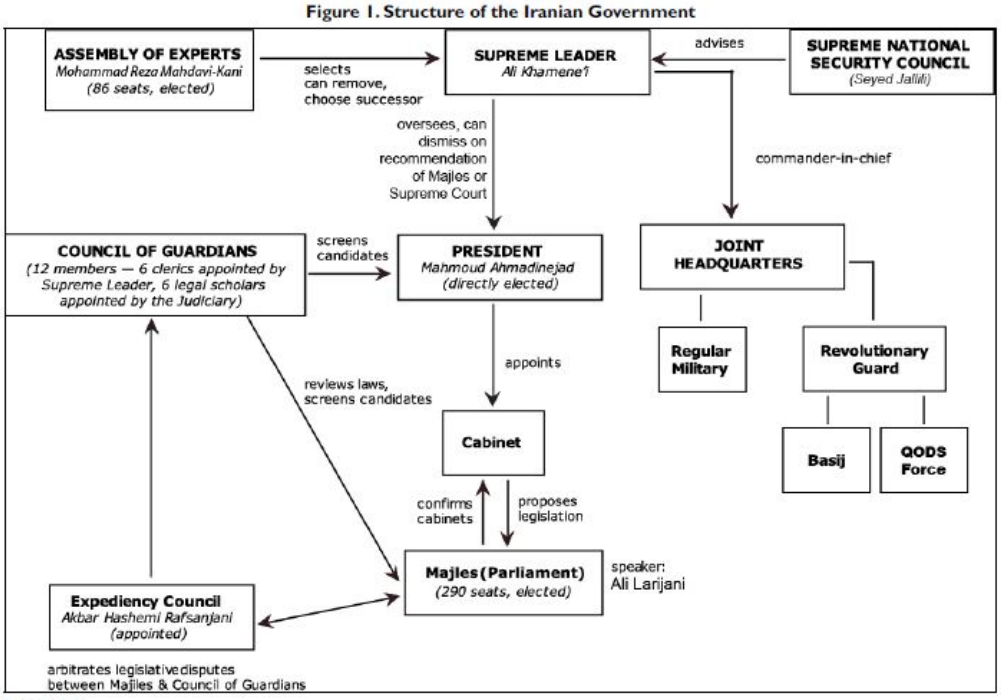
As Salahuddin notes, the Iranian model provides a political process by which democratic debate results in legislation. Several questions arise. First, what does that process look like? Second, is that process one that Islamists would embrace? Third, does the Iranian model represent a repudiation of Huntington's point? Does it mean that Islam is capable of democracy?

In order to answer the first question, it is essential to take a look at the institutional structure of the Iranian political process. Upon inspection, it is evident that this process is punctuated in several places by institutions of central leadership exerted by political elites. Both the legislative and executive branches of government are subject to the "Council of Guardians", a powerful elite institution whose job it is to screen candidates running for seats in both elected branches and to review legislation coming out of both.

A schematic chart of the Iranian political process is as follows in Figure 1:

[335] Atif Salahuddin, "Is Iran an Islamic State?" (Monday, 13 July 2009 10:09) at http://www.khilafah.com/index.php/concepts/political-concepts/7007-is-iran-an-islamic-state.

Figure 1. Structure of the Iranian Government



Source: CRS.

[336]

It is clear from the diagram above that Khomeini envisioned some kind of democratic republic with several additional features, aside from the Council of Guardians, added to ensure the dominance of elite religious institutions. Above both the elected branches of government, indeed even above the Council of Gurdians itself, sits the "Supreme Leader" who is an Ayatollah chosen by an "Assembly of Experts" and advised by a "Supreme National Security Council" whose powers include shaping both domestic and foreign policy. As democratic republics go, the Iranian political process represents the most extreme authoritarian/trustee model on the spectrum of representational types. It is easy to detect a great fusion with Marxist ideology on this point.

---

[336] Kenneth Katzman, CRS Report for Congress, (Washington DC: Congressional Research Service, December 15, 2011).

But is this model one that Islamists feel comfortable with? Atif Salahuddin's opinion seems to suggest that it is not. His critique of Iran's government seems to be, "Not enough Sharia law, too many democratic institutions". In short, the model is too democratic, not too authoritarian. But is this even an accurate assessment of the Islamist position? Would not the preponderance of authoritarian checks in this system satisfy Sayyid Qut'b's requirement for limited sura (consultation) in an Islamic state? In considering this question, it is quite possible to establish a spectrum of Islamist attitudes, including those which seek absolute imposition of Sharia law with absolutely no human intervention (a kind of Islamo-anarchy), those who embrace direct democracy as a way to allow Muslims to increase their religious voice in government, and those who favor the authoritarian rule of mullahs (a kind of Islamo-fascism).

Anywhere along this spectrum, there may be found hybrid systems like the Iranian that employ a kind of republican model with authoritarian checks included. The answer to the question of Iran's legitimacy among Islamists is problematic. It would seem there is no monolithic Islamist position from which to start. This is revealing, for it exposes those in the west who brand all Islamists as "Islamo-fascists" as either woefully ignorant or willingly disingenuous.

Finally, does this model diprove Huntington's thesis that Islam is incapable of engendering democratic governance? Here is where the Huntingtonian methodology must be questioned. As mentioned before, Huntington seems to take culture as a static concept, a snapshot in time, and make generalizations from there. Much has been said in political science about the requisite features of a democratic culture in order for

democracy to thrive. The mere existence of multi-party elections does not ensure favorable outcomes; by favorable, of course, we mean elections that do not fundamentally violate the principles of fairness, equity, and tolerance that are so crucial to democratic culture. The results of the "Arab Spring" in the early part of 2012 clearly show how democratic movements, if they do not honor these principles, can end up perpetuating the very concepts that Huntington decries as being undemocratic through a narrow interpretation of Sharia Law.

Indeed, if the debate concerns the Islamists only, even Muslim scholars doubt the genuiness of the Islamist embrace of democratic movements that swept through the spring of 2012. As one noted scholar put it, "it is safe to say that the election of the Islamists to government and their appearance on the political stage constitutes a kind of hijacking of the revolution."[337]

So the larger question becomes, given the various opportunities that have arisen in which principles such as fairness, equity, and tolerance have not only been debated within Islam, but thrived in Islamic civil society, can a democratic culture that resurrects these inherent principles emerge in the twenty-first century that will A) win the hearts and minds of Muslims away from Islamism and B) establish a wave of democratization throughout the world of Islam in such a way that confounds the Huntingtonian view? Western culture at one time embraced far less egalitarian principles (divine right monarchy, Christian exclusivity, persecution of minorities, repression of thought, etc.)

---

[337] Interview with Abdelwahab Meddeb, Qantara.de. Available online at: (*http://en.qantara.de/The-Islamists-Are-Not-Ready-for-a-Democratic-Culture/20480c22457i0p/).*

than did the east, and yet blossomed into the democratic culture of the Enlightenment and beyond.

It seems that there have been virtually two Islams developing side by side from the very beginning: the militant branch of Islam, developed from the political necessities of the day (conquest, land acquisition, competition over scarce resources, and extension of political authority), and a philosophical Islam built around the precepts of practicality, wise governance, and a need to keep the various dynasties free from internal turmoil and discord. It is this struggle between the two that confounds both extremist and apologist, for it precludes the idea of a "true Islam". One of the two will prevail, the other will perish, and not via a western "war on terror" but through a reformation of ideas within the religion of the Prophet. This is Islam's war to wage, a war of ideas and competing institutional models.

Chapter Seven: Competing Institutional Models

For obvious reasons, any discussion of institutional models must begin with the prevailing assumptions regarding historical Islam and move toward its challenges. In this regard, Huntington's theory provides a meaningful starting point. Interestingly, Huntington begins his treatise with several examples of political activity coalesced around the symbolic power of national flags.[338] It is an interesting choice of examples, not just because it introduces his basic thesis of cultural conflict; but because it highlights an essential weakness in his argument at the very outset. Simply put, Huntington's thesis states the following:

A. For the first time in history, global politics is both multipolar and multi-civilizational.
B. The balance of power among civilizations is shifting: the West is in decline.
C. A civilization-based world order is emerging based on cultural alignments.
D. Western universalism is creating conflict with competing cultural alignments.
E. The survival of the West depends on the "reaffirmation" of a unique western identity.
F. Avoidance of global war depends on world leaders accepting and cooperating to maintain the multi-civilizational character of global politics.[339]

At first blush, Huntington's ideas seem pluralistic, in that he ultimately prescribes the acceptance that international diversity is inevitable and that multi-civilizational

---

338 Huntington, *Clash of* Civilizations, p.19.
339 Ibid, p.20-21.

cooperation is necessary to ensure global peace. Several of his claims, at the least, are based on faulty assumptions; at most, they make vague generalizations.

For example, Huntington's statement that "for the first time in history, global politics is multi-polar and multi-civilizational" must be questioned. Initially, it seems a ridiculous claim that the world has never been multi-civilizational. Huntington's point is that there has never existed a global condition of multi-civilizationality coexisting with multi-polarity. This makes some very dubious assumptions regarding Western hegemony that can be challenged by history. For example, a multi-polar situation in Europe maintained a balance of powers during World War I, including the significant Austro-Hungarian, German, and Turkish alliance. There have been other examples of this condition of multi-civilizationality throughout history: the Macedonians and Persians, Rome and Carthage, etc. Indeed, when one understands that a uni-civilizational view of international politics has only been narrowly constructed by the self-serving interests of particular hegemons, Huntington's initial thesis begins to lose force.

Additionally, Huntington's claim that the "West is in decline" seemed ill-fitted to the times in which he was writing. With the collapse of the Soviet Union and the emergence of free markets throughout the world, including in China, it seemed Western values (or, perhaps more specifically, the universal values of liberalism) especially those espousing individual economic autonomy, were indeed prevailing. In Russia, not only did the free market emerge as a force, Western democratic reforms were taking place at an amazing rate. Conflict was inevitable; with change comes uncertainty and a certain sense of anomie. The traditional Western Liberal conception of human rights vaulted to the

forefront during this period, as well, with the emergence of a student-led (and Western modeled) human rights movement in China and U.N. action directed toward such regional conflicts as Somalia, Boznia-Herzogovina, and Kosovo. With the events of 9/11, however, it may seem that much of Huntington's assumptions were validated; in this regard, it will be necessary to distinguish between Huntington's conceptions of "civilization" and "culture".

Huntington's contention that a "civilization-based" global order is developing is a hard point to prove or disprove. With the emergence of Fukuyama's "end of history" thesis, why was the response to create a new reason for conflict, rather than return to a pre-Cold War understanding of international relations? If the Cold War can be reduced to an ideological conflict at all (not a given), a "return" to self-interested foreign policy seems reasonable. This, of course, is to say that the foreign policy of U.S.-Soviet relations was not based on self-interest, only ideology. If one could employ Realist assumptions about the global environment, it seems entirely logical to conclude that nothing changed between the period of the two World Wars and the collapse of the Soviet Union except the balance of power. In this way, nations in the current alignment will behave in the same way, based on self-interest, not ideological of cultural prerogatives.

Huntington's point regarding Western Liberal universalism (liberal human and economic rights) is well taken.[340] Any claim regarding the universal application of a single paradigm is likely to create conflict. Western models of economic development

[340] Huntington, *Clash of Civilizations*, p.310.

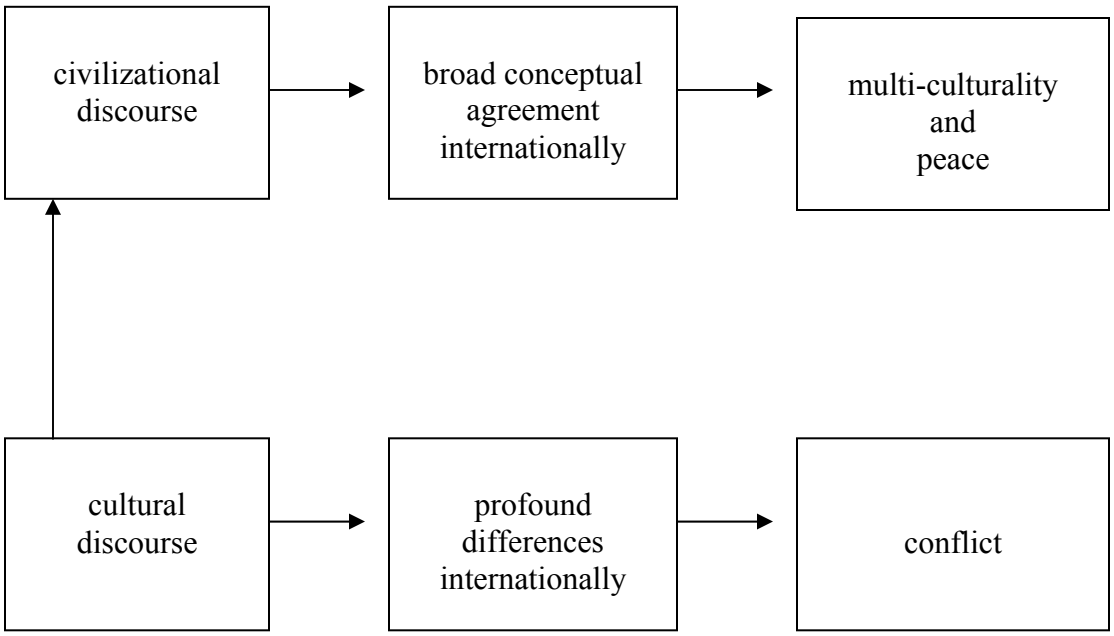
(Milton Friedman's model, for example) or democracy are surely to result in resistance from a multi-civilizational world. This, however, brings the discussion into a critical analysis of Huntington's distinction between civilization and culture.

For Huntington, the term civilization implies a "mix of higher levels of morality, religion, learning, art, philosophy, technology, material well-being, and probably other things".[341] Conversely, culture "prescribes institutions and behavior patterns to guide humans in the paths which are right in a particular society". [342] What Huntington concludes from this is that culture promotes "more the sense of a common enemy [or evil] than the commitment to a common culture".[343] Certain "thin minimalist moralities" can be gleaned from culture, however, that inform the civilization and provide for the understanding of commonalities in a multi-civilizational world and diminish conflict. The civilization must stress these commonalities, and ignore the differences, from the top down. Key to this understanding is that popular culture, operating as it does from the bottom up, cannot ensure the survival of a multi-civilizational world because it is divorced from the refining elements of "higher morality, religion, philosophy, etc." that define civilization. For Huntington, culture is the source of conflict, civilization the mediator for world peace. Utilizing these principles, it is possible to construct the following "Huntingtonian"model for conflict in international politics (Table 7.1):

---

341 Huntington, p.320.
342 Huntington, p.318.
343 Ibid.

Table 7.1



The line connecting cultural and civilizational discourse may be seen as the "thin minimalist" consensus that connects basic needs in society to larger philosophical trends.

Missing in Huntington's model is a critical evaluation of the possibility that opposition to western liberal universalism stems from elements of civilization (including ruling secular elites), not culture, and that these elites see it in their best interest not to democratize because of the destabilizing effects it might have on their power structures. It should be clear that what Huntington refers to as "higher levels of culture" refers not to "high" civilization, but the opposite, repository of traditional popular culture that fosters hatred and contempt for the other. To what extent, then, has popular culture provided the legitimacy for regimes in regions such as the Middle East, or conversely, to what lengths have oppressive governments circumvented the elements of civil society in order to ensure their survival? What effect does each scenario have on opposition to western

universalism? It may very well be that popular culture in these countries articulates a "thin minimalist morality" of its own (not merely that culled from culture by the "higher" philosophic tradition favoring democracy), although perhaps not a western-based model of democracy. In this way, culture may be seen to provide the best defense against western universalism and the most reliable vehicle for international stability.

Huntington's call for an end to Western universalism is admirable. Surely, that is one strategy in a larger world-view that will work. A return to the previous understanding of self-interest in international politics and its application to existing regimes would be a more constructive complement to that strategy, however, rather than the admonishment of culture in the process. If self-interest, however, does prevail, and this self-interest can be formed at the sub-state level, by its polity, then culture will play an indispensable role in defining the parameters of what democracy means for any given region of the world. In full agreement with Huntington's perspective, however, is a vast array of orientalist scholars establishing the particularist claim that Islam is so fundamentally the other that it cannot approach the requisite elements of democratic culture. Orientalism has been perceived as a form of western reductionism in which generalizations and stereotypes of a monolithic and unchanging Islam are utilized to explain its incompatibility with western political liberalism.[344] Such an approach is typified in a quote from the noted western scholar Bernard Lewis: "Islam is incompatible with liberal democracy as the fundamentalists themselves would be first to say: they regard liberal democracy with

---

[344] Michael C. Hudson, "The Political Culture Approach to Arab Democratization: The Case for Bringing it Back In, Carefully", *Political Liberalization and Democratization in the Arab World*, Volume 1: Theoretical Perspectives, Rex Brynen, Bahgat Korany, & Paul Noble, eds. (Boulder: Lynne Rienner Publishers, 1995), p.65-66.

contempt as a corrupt and corrupting form of government".[345] It is illustrative of the orientalist position that Lewis posits a connection between Islam and fundamentalism as if they were one and the same. And yet there is hope. Since September 11th, much of the current literature has been focused on the diversity within Islam, between religious sects and political groups as well. Still, orientalism survives.

Sheila Carapico's research represents such an example of western liberal bias, utilizing the measurement of such variables as labor unions, community self-help projects, and political organizations as definitive elements of democratization in Yemen.[346] A key concept that Carapico utilizes in her study is that of al-mujtama' al-madani (civic, or urban society) rather than that of al-mujtama" al-ahli (local, or primordial society).[347] In Carapico's view, it must be the urban groups in pursuit of capitalist wealth, and therefore political access, who are the central actors in the development of pluralist democracy. Such pluralism surely cannot be achieved utilizing the parochial interests of tribal culture or the intolerance of religious ideology contained in Islam. Carapico's approach can be seen as the narrowly focused economic perspective that has served to alienate religious institutions in Islamic society and prescribe western liberal modes of secular government. Consolidating the various streams of orientalism, it is possible to construct the following competing models of government in the Middle East, Arab vs. Islamic (Table 7.2).

---

345 Ray Takeyh, "The Lineaments of Islamic Democracy", *World Policy Journal*, Winter 2001/02, p.59.
346 Sheila Carapico, *Civil Society in Yemen* (Cambridge: Cambridge University Press, 1998), p.1.
347 Carapico, p.6-7.

It is maintained by some (a perspective considered later in this paper) that the first model has, in actuality, resulted in extremist Islamist movements of the modern era.[348] First, some consideration should be given to the idea that Islam enjoys a more ancient and venerable tradition of democratic pluralism.

In a seminal article, Saad Eddin Ibrahim initially refutes the claim that the emergence of the formal institutions of civil society in the west has always produced "pluralism".[349] Ibrahim notes that the process from which these institutions emerged was fraught with conflict, even outright violence, in some cases, producing the exact opposite of pluralism, i.e., authoritarian rule.[350] Perhaps more significantly, Ibrahim shifts his emphasis to the less formal institutions of Arab culture, which he argues have historically contributed to a more pluralist society, a more democratic resolution of competing interests, and a more stable political environment, than could ever be possible using the institutional arrangements of the modern Arab state. Ibrahim posits that in the early Islamic community (the community of Medina) a concentric view of Arab culture prevailed, with certain key actors (ulama, merchants, guilds, and religious orders and sects) at the center, or core of political administration, representing the needs of the periphery and exercising some influence on the policy-making process of central leadership (the Caliph).

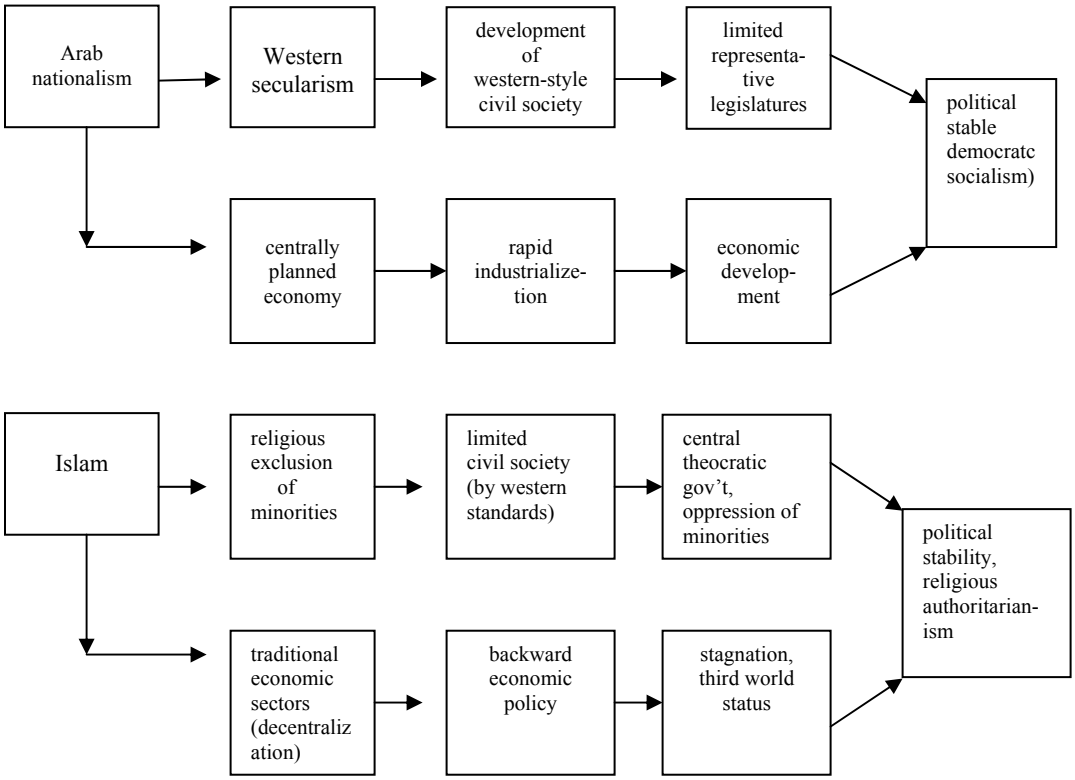
---

348 Takeyh, p.60.

349 Saad Eddin Ibrahim, "Civil Society and Prospects of Democratization in the Arab World", in *Civil Society in the Middle East*, Augustus Richard Norton, ed. (New York: E.J. Brill, 1995), p.28.

350 Ibid, p.28.

Table 7.2



In this regard, the Caliph wielded political and administrative power, i.e., the power to collect taxes, apply justice (through Sharia law), maintain public order, provide for the defense of the community, and occasionally patronize the arts and sciences.[351] He performed these duties with a measure of advisory assistance (shura, or consultation) from the groups at the core of this concentric arrangement of Arab society. At the periphery lay tribal groups and peasants who enjoyed a high level of autonomy in the functioning of local economies.[352] This system worked highly effectively within the

[351] Ibid,, p.31-32.
[352] Ibrahim, p.31.

context of Islamic culture, which represented more of an ideology that was expressed in terms of a way of life, and less of a simple religious concept.

More simply put, the political access enjoyed by these various elements of Arab culture, including religious groups, coupled with the democratic legitimacy of the Caliphs (chosen through consensus, or ijma) satisfied the requirement of "Islamic government", and the autonomy enjoyed by periphery groups effectively insulated them from constant contact with central authority, thereby allowing for the equitable pursuit and distribution of goods and services at the local level. Less contact also helped to avoid conflict between the central authority and the periphery, which in turn, enhanced the legitimacy of the Caliph. Indeed, by never naming a successor to his unique position in the Islamic community, the Prophet Muhammad tacitly endorsed the processes of democracy in Arab government. In this way, Abu Bakr enjoyed the full legitimacy of leadership, chosen as he was through the active political participation of Muslims (ijma).[353]

Significantly, as the boundaries of Islamic governance expanded through conquest and dynastic rule emerged (the first being the Umayyads), several issues began to impact this traditional formation of Arab culture. First, the Caliphate was developing into an inherited office passed from father to son (as Muawiyah toYazid), thereby provoking the dissent of Kharijites and the party of Ali. There was a direct correlation between the democratic legitimacy that these Caliphs possessed and the moral authority wielded by their office in Islamic society (witness the demonization of Yazid). Secondly, the powers of the Caliphate increased significantly, overshadowing the economic and social

---

[353] Abdulrahman Abdulkadir Kurdi, *The Islamic State: A Study on The Islamic Holy Constitution* (London: Mansell Publishing, 1984), p.63.

autonomy of periphery groups. This trend continued well into the period of European contact as Arab nationalists sought to extricate themselves from colonial rule through the establishment of western-style governmental institutions throughout the Middle East. The problems associated with the emergence of the "modern Arab state" included:

A. The imposition of artificial borders by European powers, particularly after WWI.
B. The weakness and inefficiency of civil institutions based on Western models
C. Insufficient "public space" for these institutions to grow (government control)
D. The overextended influence of government into areas of economic and social governance
E. The establishment of "open door" policies (as a result of oil production in less wealthy nations) without discarding central planning schemes or command economies.[354]

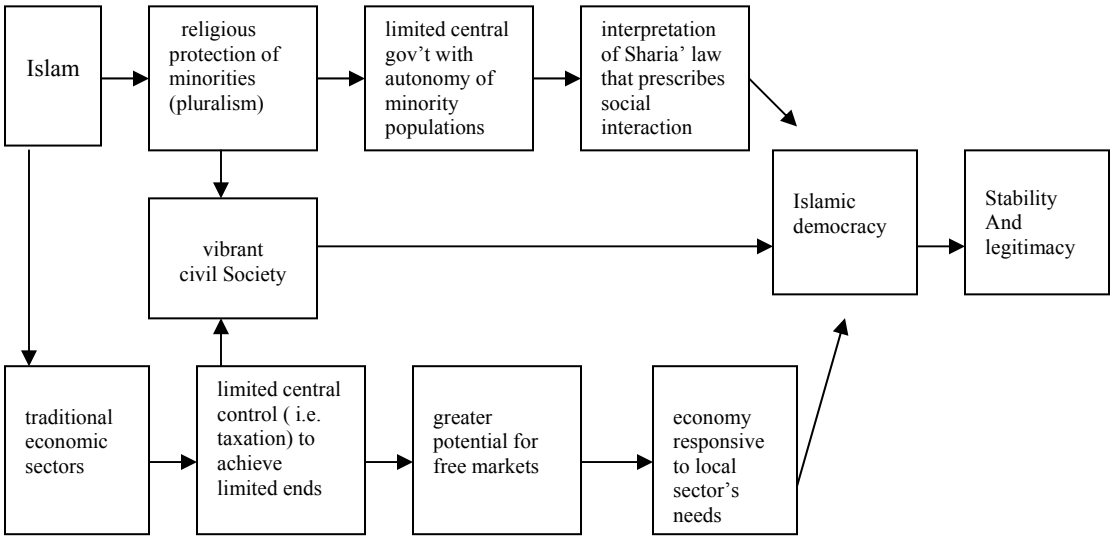
Particularly, because of this last development, three public "spheres" began to emerge within these states: public, private, and "mixed". Also, new classes emerged from this arrangement, in particular, the NMC (new middle class) and the MWC (modern working class). Couple this with the high cost of regional and internal disputes (Arab-Israeli, Iraqi-Iranian, Lebanese, Sudanese, etc.) and the central leadership's lack of ability to resolve these disputes, and there appeared a high level of "disconnect" between Arab Muslims and the offices of government. Increasingly, secular governments attempted to

[354] Ibrahim, p.34.

eliminate the influence of religious groups (and indeed any traditional elements of civil society) and replace them with the civil institutions of an industrialized economy and a secularized government.

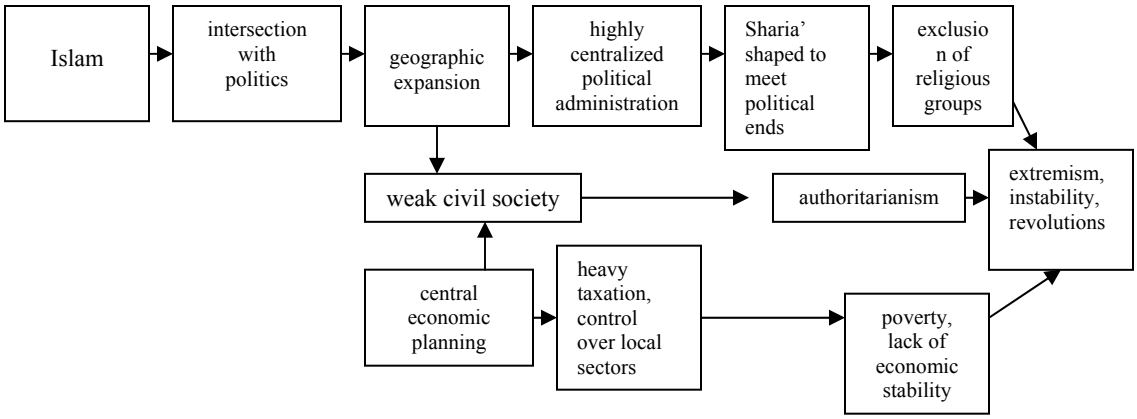
Norton's view of Middle Eastern civil society is complemented by Ira Lapidus, whose dual paradigms of Islamic government, Caliphal vs. Imperial, suggest that the former possessed the democratic traits of Norton's civil society while the latter more closely resembles the centralized autocracies and secular governments of the Middle East today.[355] Incorporating these theories, the following models of Arab government may be constructed (Tables 7.3 & 7.4).

Table 7.3 The "Caliphal" Model


Islam
religious protection of minorities (pluralism)
limited central gov't with autonomy of minority populations
interpretation of Sharia' law that prescribes social interaction
Islamic democracy
Stability And legitimacy
vibrant civil Society
traditional economic sectors
limited central control (i.e. taxation) to achieve limited ends
greater potential for free markets
economy responsive to local sector's needs

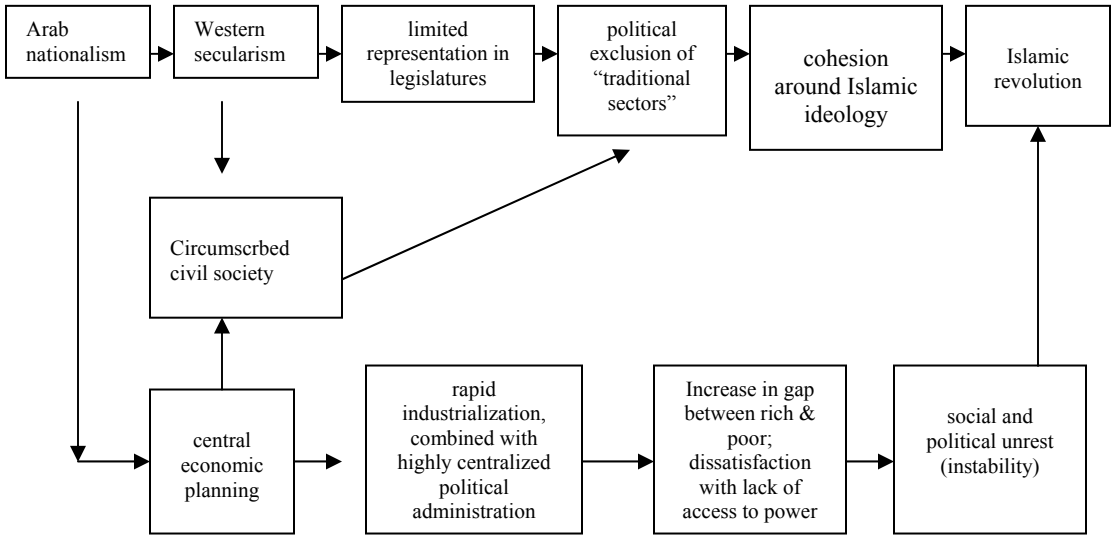
[355] Ilkay Sunar, "Civil Society and Islam" in *Civil Society, Democracy, and the Muslim World*, Elisabeth Ozdalga and Sune Persson, eds., (Istanbul: Swedish Research Institute in Istanbul, Transactions) Vol.7, 1997 p.12.

Table 7.4 The "Imperial" Model



Viewed from Lapidus's point of view, "traditional" decentralized Islamic government provided a better blueprint for pluralism and democracy than did the permutation of Islamic government that became associated with Arab empire. Additionally, it may be posited that there are specific similarities between this imperial model and the secular Arab nationalism that Ibrahim suggests swept through the Middle East during the twilight of European colonialism: highly centralized political administration, central economic planning, the secular exclusion of religious institutions (and, consequently, the circumscription of civil society), and deep class divisions between rich and poor. Ibrahim similarly outlined the dimensions of Arab government with an emphasis on the implications this model had for the prospects of stability and legitimacy. Note in the following model of Arab nationalist government (based on Ibrahim's research) the glaring similarities to imperial administration (Table 7.5):

Table 7.5 Ibrahim's Model


Arab nationalism
Western secularism
limited representation in legislatures
political exclusion of "traditional sectors"
cohesion around Islamic ideology
Islamic revolution
Circumscrbed civil society
central economic planning
rapid industrialization, combined with highly centralized political administration
Increase in gap between rich & poor; dissatisfaction with lack of access to power
social and political unrest (instability)

It is significant that the end result is the same for both the imperial and secular nationalist model: instability, unrest, and outright revolution. It may be further observed from history, that even as imperial culture grew and reinterpreted Islam to fit its political agenda, opposition was most virulent among religious reformers who increasingly viewed the administration as a corrupting influence. This may be stated as an ideological tool utilized by disenfranchised sectors of civil society, sectors that had once occupied a niche in society as facilitators of pluralism and access to government. There is evidence to suggest that, even in the modern era, "tribal" Islamic societies retain the central importance of periphery access to the urban core via clan politics.[356]

[356] Donald P. Cole, "Alliance and Descent in the Middle East and the 'Problem' of Patrilateral Parallel Cousin Marriage (1)", *Islam in Tribal Societies: From the Atlas to the Indus*, Akbar Ahmed and David M. Hart, editors. (London: Routledge & Kegan Paul, 1984), p.175.

What is essentially different between the two models is the causational link leading to centralization of power. In the imperial model, Islamic government is effectively reinterpreted in an attempt to meet the exigencies of geographic expansion. As Arab nationalism emerged, although geographic units were more limited in size, the task of industrialization and economic development remained a gargantuan task, one that ostensibly required sustained planning at the state level. Hence, the emphasis on centralized authority and the rejection of "traditionalist" schemes of government. This had the practical effect of "throwing the baby out with the bath water", however, as legitimization was lost, via the alienation of civil society, and the undermining of religious authority upon which so many citizens relied.

In order to conceive of the Caliphic Model's applicability to democracy, however, one must rethink a fundamental approach to the very definition of the term. Using an expansive definition (one that includes, for example, modes of access and the translation of public preferences to government) one may argue that although the western scheme of "free, open, and secret ballot elections" was not observed in Caliphal governance, nonetheless, the people retained access to representatives (in the form of wealthy patrons before the court and the schools of ulamas), a system of government that allowed for the self-autonomy of communities and the accountability of officials, and a mechanism for public discourse that provided the basis for an expansion of rights in society.

Some Western Observations

The essential problem, of course, for secular regimes was that they effectively deligitimized their own rule by divorcing themselves from the traditional roots of

governance in the Middle East: namely religious institutions. Indeed, from the period of antiquity to the present, religious institutions have a played a role, albeit always not a democratic one, in Semitic government. To envision a democratic scheme that did not somehow include these institutions would by myopic, to say the least. As previously noted, democratic models have flowed from Islamic ideology that effectively incorporated religious authority. The problem arises, how may these models, as limited as they may seem to western sensibilities, possess the potential to develop, approaching the dimensions of what may fit Huntington's criteria for a universalistic concept of democracy? Perhaps using Habermas's theory of deliberative democracy, this development is possible.

The essential problem, of course, is that while many democracies agree on procedure, that is to say, the establishment of free and competitive elections; they rarely agree on the normative basis upon which their systems are built. The theoretical basis from which rights are distributed throughout society often affects the quality of a democracy: who gets to vote, what preferences are heard in political discourse, what happens to minority populations in times of majority rule, etc. These are normative questions that constitutions usually settle, not public discourse. The essential question for writers such John Rawls and Jurgen Habermas, however, was from whence do constitutions derive their precepts, and consequently, their legitimacy?

For Rawls, constitutions are drawn from an overlapping consensus, that is to say, agreed upon ideas by which the needs of the citizenry are expressed in theoretical

discourse to match the requirements of objective justice.[357] This is an intellectual endeavor, however, and requires the efforts of the philosophical community that Huntington would firmly place in his civilizational scheme of international politics. Habermas, however, conceives of the ways in which previously legitimized political structures, in tandem with some avenues for public discourse, limited though they might be, provide the possibility for a deliberative debate on the nature of rights in society. For purposes of defining a workable Middle Eastern model for democracy, this conception may contain the greatest potential; for it is in the area of respecting human rights that modern Arab states have had the most trouble. Islam, however, has been shown to have provided the necessary institutions for just such a deliberative debate.

Huntington's contention is that similar conceptualizations of human rights may indeed be impossible; however, if Habermas is right, existing avenues of public discourse in Islamic society may provide the best course for the expansion of rights in Arab society. If a previous model of Islamic governance is followed, one in which it may be argued a form of limited democracy prevailed (the Caliphic model), it may prove the only effective system in order to achieve this objective.

In outlining Becker's views on deliberative politics, Habermas observes that although in pluralist democracy, "legitimacy stems from a majority vote reached in elections that are free, equal, and secret" it is also true that "political power is displayed in the sheer stability of a political order".[358] Any normative concepts of democracy must,

---

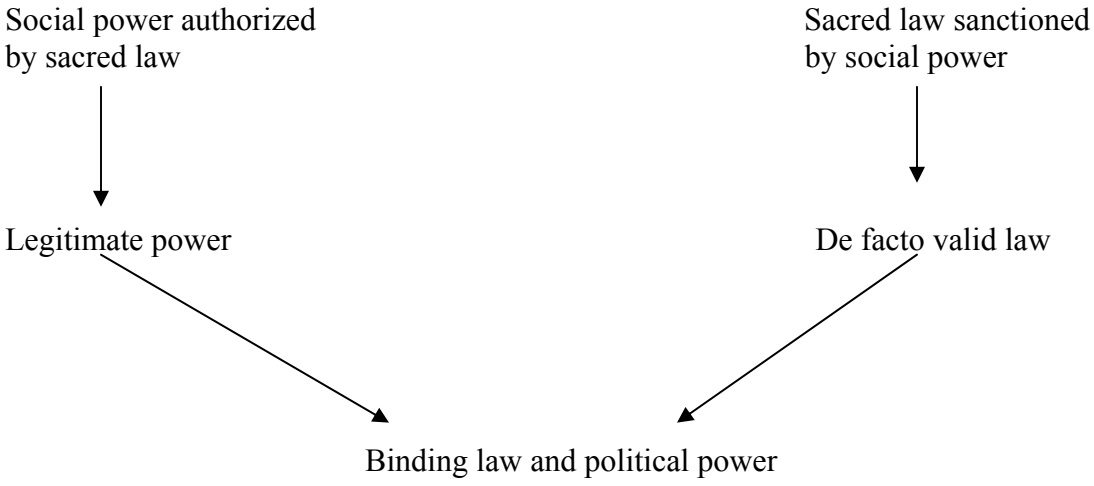
[357] John Rawls, *Political Liberalism* (New York: Columbia University Press, 1996), p.134.

[358] Jurgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*. (Cambridge, Mass, MIT Press, 2001), p.290.

according to Becker, be signified by "their connection to sanctions effective for stability".[359] For Habermas, however, a "discourse model of democracy corresponds the image of a decentered society, albeit a society in which the political public sphere has been differentiated as an arena for the perception, identification, and treatment of problems affecting the whole of society."[360] Key to this model is the necessity for "public space", that is to say, the space in which civil society formulates the opinions of individuals, which are then transferred to the political processes of government via representation.

For Habermas, this creation of political will is separate from law in that the latter is, in some degree, reliant on traditional forms of authority. Habermas uses the following model to explain the processes of legitimization[361] (Table 7.6).

Table 7.6


Social power authorized by sacred law
Sacred law sanctioned by social power
Legitimate power
De facto valid law
Binding law and political power

[359] Ibid
[360] Habermas, p.301.
[361] Habermas, p.143.

Habermas rejected any divine source from which rights were derived. It is significant to note, however, that as a practical method of establishing legitimacy that cannot be disentangled from the world of human interaction this model provides for both the establishment of legal authority via sacred or religious law and the social dynamic that sanctions divine law. If one were to marry the principles of "public space" to the legitimization possible through the social construction of religious ideology (ostensibly based on sacred text, but in reality redefined to meet social needs), one would approach the deliberative potentiality of the Caliphal model of Islamic government and its capability to expand rights based on public discourse.

There are problems with this approach, however. As previously noted, there is a variety of cultural contexts in which Islam has been interpreted. To simply say that Caliphal Islam provided a model that was replicated in Arab society everywhere is to fall prey to the very reductionism eschewed by the empirical approach. In this regard, it becomes necessary to formulate a coherent definition of civil society in Islamic terms that is both relevant to Arab culture and inclusive enough to approach western conceptualizations. Mustapha Kamel al-Sayyid has suggested a synthesis in which Marxian and Lockean discourses are utilized.[362] Although this approach does little to resolve the inherent conflict between Lockean individual rights and the Marxian collective good, it nonetheless allows a specific model regarding the modes of civil-society-state interaction. Using this synthesis, Sayyid postulates a requirement in which "citizens relate voluntarily to each other on the basis of shared interests that do not

[362] Mustapha Kamel al-Sayyid, "The Concept of Civil Society and the Arab World" in *Political Liberalization and Democratization in the Arab World, Volume 1*, Brynen, Korany, & Noble, eds. p.136.

exclusively replicate primordial ties".[363] Arguably, the weakness of the "political culture" perspective lays in the notion that somehow, at the primordial/tribal level, the seeds for democratic success or failure are sown, and that institutional models are ineffective.[364]

But Yale professor Andrew March reminds us that Habermas also claimed there were certain "normative presuppositions" in a society that lay the groundwork for this "overlapping consensus model", namely: "equal respect, the rejection of coercion, the freedom to form opinions, the intersubjective validity of reasons, trust, and honesty."[365] These normative presuppositions all existed in Islam during the period of the falsafah. Each of the philosophers articulated concepts that enriched government during the Abbasid government by establishing equal respect among citizens (through sura and ijma, and protection of religious minorities), and insisting on the rejection of coercion ("there is no compulsion in religion"), the freedom to form opinions ("the greatest jihad is the disobedience to an unjust ruler"). Although twentieth century Islamic political philosophy was eventually overtaken by extremist ideology, March also notes, these normative presuppositions still existed when Salman Rushdie was attacked for his writing of the *Satanic Verses*.[366] In reaction to the fatwa issued by the Ayatollah Khomeini, some Muslims came to the defense of Rushdie including many who appeared annually at

---

363 Ial-Sayyid, p.136.
364 Hudson, p.67.
365 Andrew March, *Islam and Liberal Citizenship: The Search for an Overlapping Consensus* (New York: Oxford University Press, 2009), p.35.
366 Ibid, p.37.

the literary festival at Jaipur.[367] There was a negative reaction by reactionary Muslim clerics to such attempts to defend a man who had questioned the very moral fiber of the prophet of Islam, but there was defense of freedom of thought, nonetheless.

Although March has some difficulty in accepting anything other than the most militant definition of jihad as rule binding on all Muslims, and he really does accept at face value the notion that "traditional" Islam is the same as "conservative" Islam, he still accepts that it might be possible for a model of liberal citizenship to emerge in Islam based on a social "equilibrium".[368]

A truly empirical approach to the question should integrate both a study of popular culture and the various and significant ways in which Islam is interpreted as an ideology designed to shape institutions, democratize, and empower elements of civil society. In this way, democratization in the Middle East may be regarded as a multi-layered process in which Islam provides a unifying model in which diverse cultural traditions may adapt local institutions in a decentralized scheme of government. In this way, it is possible to synthesize certain universal concepts such as toleration and justice based on Sharia law and the particular power arrangements that are valued in specific culture. Indeed it is these arrangements that determine the ability of each citizen to pursue interests that may be perceived as universal to humankind: material goods, security, and a sense of social cohesion. Thus, a dual process of conceptual and communal universalism is possible via the adaptation of Islam to cultural institutions.

---

[367] Article in *The Guardian*, Monday 21 January 2013 at: http://www.theguardian.com/books/2013/jan/21/salman-rushdie-jaipur-literary-festival

[368] March, p.96.

This marriage between communal material needs and higher concepts of universal Islamic justice is a conceptual feature of the modern democratic debate within modern Islam.[369]

As Sachedina suggests, a dialogue between the two universalist realms in Islamic thought has occurred through the flexible interpretation of Quranic texts. According to this argument, the Imperial model of Islam has sufficiently ossified Islamic ideology and exploited it as a tool of the state in ways that necessitate a reinterpretation of texts. For many this reinterpretation cannot come too soon.[370] Indeed, as Jean Leca suggests, there must be a way of resolving the differences between "democrats" (constitutionalists) and "Islamic democrats" (populists) in Arab society.[371] Significantly, the Caliphal model of Islamic government may provide the best interpretation of Islamic ideology that integrates the universalistic objectives of both realms, constitutional and popular.

The Historical Process of Extremism

Reinterpretation of Quranic texts is a two-edged sword, however. As previously noted, there has emerged a consistent theory in Middle Eastern studies that explains the process by which excluded religious groups develop extremist ideologies (in which traditional Islamic political lineaments are essentially reinterpreted from a theocratic

---

[369] Mehran Tamadonfar, *The Islamic Polity and Political Leadership: Fundamentalism, Sectarianism, and Pragmatism.* (Boulder: Westview Press, 1989). Tamadonfar suggests that "The idea of an Islamic state is as old as Islam itself. Muslim's widespread and forceful attempts to establish an Islamic State have been explained by communal needs, Islamic universalism, explicit Quranic instructions and the prophet's tradition."(p.38).

[370] John Waterbury, "Democracy Without Democrats: The Potential for Political Liberalization in the Middle East" in *Democracy Without Democrats? The Renewal of Politics in the Muslim World*, Ghassan Salame, editor. (London: I.B. Tauris Publishers, 1994), p.45.

[371] Jean Leca, "Democratization in the Arab World: Uncertainty, Vulnerability, and legitimacy. A Tentative Conceptualization and Some Hypotheses" in Salame, p.54-55.

perspective), form coalitions with disaffected and often impoverished groups in society, and operate to facilitate the violent replacement of secular regimes. It should be noted, however, that this form of theocratic ideology differs somewhat from traditionalist sources in that it stresses the necessity of central authority invested in a single religious leader rather than the simple articulation of an "Islamic state" headed by a political administrator (Caliph) who maintains a decentralized system. Nowhere was this reinvention of central religious authority, as were the historical facets of oppression that led to its emergence, more apparent than in the case of Iran.

At the societal level, the Pahlavi regime's economic policies of rapid industrialization only exacerbated problems for the middle class and citizens who flocked to urban centers in search of jobs.[372] The Shah's government simultaneously dismantled networks in which religious authorities interacted with the state, and indeed with society, replacing the mullah-administered madrassas with secularly run government schools.[373] In addition, significant restrictions on the activity of Iranian civil society were imposed from the highest levels of government.[374] What was the practical result of this process? Eventually exiled, and aided by the improved communications networks available in Paris, the Ayatollah Khomeini forged ties with these disenfranchised sectors of civil

---

372 Gilles Kepel. *Jihad: The Trail of Political Islam*. (Cambridge, Mass.: The Belknap Press of Harvard University Press, 2002), p.108.

373 Kepel, p.109.

374 Farhad Kazemi, "Civil Society and Iranian Politics", in *Civil Society in the Middle East*, Vol.2, Augustus Richard Norton, ed. (New York: E.J. Brill, 1995), p.121. Kazemi maintains:

> "As Gasiorowski pointas out, "the Iranian State's high degree of autonomy in the 1960's and 1970's enabled it to operate without the kind of societal input that is often provided by such mechanisms as legitimate political parties, popularly elected legislatures, a free press, and local-level political activity."

society and articulated a controversial, yet appealing, reinterpretation of the legitimation of authority in Iranian politics: the Velayat-e-Faqih.[375]

This reinterpretation of political Islam significantly expanded the role of the ulama in Iranian government, approaching that of an absolutist theocratic monarch. The fact that this innovation was not received with universal acclaim in Iran - indeed it was vigorously debated before it was offered to the electorate in a 1979 referendum - demonstrates the long-standing tradition of consultation, consensus, and democratic discourse that Khomeini himself regarded as an essential element of Islamic civil society.[376]

What is perhaps more significant in explaining why Khomeini turned to such a conceptualization of leadership, however, was his expulsion from Iranian politics under the Shah and the incremental way in which he moved toward extremist ideology. This incremental process included a moderate phase in which Khomeini utilized political activism in response to the secular modernization policies of the Shah, an exilic phase during which he began to articulate the importance of the executive branch of Islamic government from his base in Iraq, and a revolutionary phase which produced a militant call to arms transmitted to his constituencies from Paris and an articulation of the velayat-e-Faqih, or supreme absolutist role of the Muslim jurist, in Islamic society.[377] This final

---

[375] Hossein Seifzadeh, "Ayatollah Khomeini's Concept of Rightful Government: the Velayat-e-Faqih"in *Islam, Muslims, and the Modern State: Case-Studies of Muslims in Thirteen Countries*, Hussin Mutalib and Taj ul-Islam Hashmi, editors. (London: MacMillan, 1994), p.197-199.

[376] John L. Esposito and John O. Voll, *Islam and Democracy* (Oxford: Oxford University Press, 1996), p.62.

[377] Seifzadeh, p.198-199.

phase, it should be noted, extended well into his administration in post-revolutionary Iran and its institutional restructuring of legislative power.

This concept of absolutism has its roots in Islamic religious thought, even its modern application in Iran, yet firmly establishes the fundamental differences between constitutional universalism and the legislative channels of government. According to this distinction, the former is based on notions regarding the "sovereignty of the people", acknowledging the "sovereignty of God" in the realm of legislative politics.[378] This, of course is Islam "turned on its head", as traditional Islam envisions a set of universalist principles, including human rights and equality of justice, as guided by Sharia and a legislative prerogative dominated by the material needs of the people and a flexible interpretation of religious ideology, as we saw in Chapter Five.

Extremism in Egypt

The forces of secularized modernity in Iran clearly provoked a particular strain of Islamic extremism among the political opposition. A similar pattern emerged in Egypt during the period of time that countenanced the rise of the Muslim Brotherhood. As the British receded from the political landscape of the Middle East in the mid 1920's, Egyptian nationalists began to actively work for the realization of an Arab secular state. The Muslim Brotherhood emerged as a dynamic social movement indicative of a vibrant and healthy civil society in which the parameters of Islamic ideology were discussed and debated as an alternative to the secular focus of Arab nationalism. That is not to say that

[378] Sami Zubaida, "Is Iran an Islamic State?" *Political Islam: Essays from Middle East Report,* Joel Beinin and Joe Stork, ed. (Berkeley: University of California Press, 1997), p.106.

the religious communities of Egypt did not perceive the virtues of working within the parameters of the old colonial system.[379] Indeed, as Gilles Kepel noted, there was a strong democratic aspect to the Brotherhood's movement:

> By offering a way for disenfranchised groups who had not come to terms with the culture of Europeanized elites to enter modern society, the Brothers assisted the process of democratization. Thanks to them, according to this view, the people could gain political power through, rather than in spite of, Islamic culture.[380]

During the intense political violence that engulfed Egypt in the late 1940's, political parties, including the Brotherhood, began the process of militarization and the formation of extremist wings bent on the violent pursuit of their objectives.[381] It cannot be understated that the Brotherhood was but one of many parties that enacted such policies during this period. Nonetheless, Islamism became the sole target of government repression afterwards, culminating in the assassination of the Brotherhood's founder, Banna, in 1949.[382] The subsequent repression under Nasser throughout the 1960's resulted in the eventual rise to prominence of the militant faction of the Brotherhood, now alienated from its popular base because of the promise of modernization. It is precisely during this period that such thinkers as Sayyid Qutb began articulating themes of Islamic extremism that would resound through the Middle East and give expression to the political Islam of the 1980's.

This process was not to end in the same way that it would in Iran, however. In the mid 1970's the Egyptian government began to enact a series of political reforms that

---

379 Nazih N. Ayubi, *Over-stating the Arab State: Politics and Society in the Middle East*. (London: I.B. Tauris Publishers, 1995), p.98.
380 Kepel, p.29.
381 Ibid.
382 Ibid.

would fundamentally restructure the social environment in ways that enhanced an anemic civil society. These forces of multipartyism resulted in a power-sharing arrangement that once more assigned some prominence to religious groups in Egypt, particularly in the delivery of social services to its citizens.[383] While this was successful for a time, with the assassination of President Anwar Sadat in 1981, Egypt was plunged into a period of marshal law that extended well into the presidency of Hosni Mubarak. Opposition groups, as they had in Iran, grew in numbers and increased their violent activities until the fall of the Mubarak regime in 2011. For a brief period, the Muslim Brotherhood, led by Muhammad Morsi, held power. What differentiates the Egyptian and Iranian experience, was the lack of centralized political leadership in Egypt. The Ayatollas of Iran proved to be able to adapt their religious traditions with the political culture of the rebellion more effectively and create a much more sustainable regime. The Egyptian population, always more diverse than that of Iran, never accepted the Salafist agenda of the Muslim Brotherhood and in 2013 the military overthrew the Morsi regime.

Arabian Wahhabism

If indeed the parameters of Islamic democracy were defined (or at least approximated) by the early community at Medina, why has their modern expression been constrained in the very location of their genesis (Saudi Arabia)? It seems the marriage of tribal society and Wahhabist extremism undermine the very foundation of the idea that

[383] Baghat Korany, "Restricted Democratization from Above: Egypt"in *Political Liberalization and democratization in the Arab World, Vol.2,* Comparative Experiences, Baghat Korany, Rex Brynen, & Paul Noble, eds. (Boulder: Lynne Rienner Publishers, 1998), p.60.

traditional society, in conjunction with a vibrant religious ideology, should produce a democratic outcome. Several issues should be addressed in this regard.

First, it is significant to note that this region also saw the first imperial rearticulation of Islam after the wars of the Riddah, in which Islamic society geographically expanded through political/militaristic means. The historical process of the imperialization of Islam is precisely what authors such as Ibrahim and Lapidus point to in explaining how urban forces began to dominate the political landscape, secularizing Islamic government (or at least, sterilizing its religious impact). Wahhabism then, may be perceived as a rural extremist movement that reoriented Islam to its opposite extreme, de-emphasizing its democratic element and appealing to an authoritarian sentiment in much the same way that the Ayatollah Khomeini was able to do in Iran. Indeed, Wahhabism provided the basis for a new Islamic expansion in the early 1800's, thus ensuring that the imperial mindset would continue to dominate the ideological landscape.[384]

Additionally, there is the intervening variable of European imperialism to consider. With the advent of the Mandate System at the close of the First World War, and the promises made by European powers to specific political elites regarding the eventual establishment of Arab governments throughout the region, democracy was de-emphasized and stability encouraged. In this way, the Saudi family vaulted to prominence in Arabia and structured a government based on a monarchical model, although it can be said to posses some elements of tribal culture, albeit via the dominance

[384] Colbert C. Held, *Middle East Pattern: Places, Peoples, Politics*, 3rd ed. (Boulder: Westview Press, 2000). P.357.

of an elite tribe. It is significant to note however, that the connections to Wahhabi religious ideology that are maintained by the Saudi elite provide the basis for the legitimacy that the regime enjoys, even among some Islamists, to this very day.[385] To be sure, there are elements of discord within the Arabian polity that find this arrangement unsatisfactory. Many, indeed, espouse a desire for Islamic democracy as an alternative.[386] While the historical variables influencing Saudi politics can and should be debated, these movements certainly demonstrate that there remains a vibrant theoretical debate within Islam regarding the prospect for democracy as a viable alternative.

It is hoped that this phase of the research has demonstrated that, despite Huntington's claims of exclusivity and particularism, the west possesses no monopoly on democratic thought, nor does it contain the only essential elements of civil society that arguably influence the formation of democratic models of government. Contained within the discourse of Islamic democratic theory, we have found alternative models of democracy to that which has prevailed in the west. Perhaps it is necessary merely to demonstrate the multiplicity of models that can exist within the parameter of what is deemed the "democratic tradition". Future research might create an index by which the elements of decentralized, traditional Islamic government may be measured in modern states, as opposed to more centralized secularist characteristics. By identifying these elements and measuring the extent to which they exist in various states, a quantitative method of comparing them to indexes of democratization in the region may be possible.

---

385 Ayubi, p.241.

386 Results of a 2012 global pew survey available at: http://www.pewglobal.org/2012/08/03/muslims-want-democracy/

In this way, the connection between theory and empirical data can help to illustrate the viability of democratic theory in Islam and its relevancy to the political environment of the Middle East today.

Conclusion

On the morning of September 11, 2001, Muslim extremists flew two American commercial airlines into the two tallest buildings of the Word Trade Center, re-igniting a centuries-long debate between champions of reason, tolerance, and democracy in Islam and those modern adherents of a political movement that sought to drape themselves in traditionalism, a religiosity that adhered to strict interpretation of holy writ, blind faith, totalitarian rule, hatred, and intolerance. "Traditionalism", in this sense, is not stressed as a necessary impediment to democracy, of course, it is important only in the context of what traditionalists in Islam define as their objective: the eradication of democracy in Islam as an alien concept. The latter of these were fundamentalists in every sense of the word, for fundamentalism has always sought ways to invent the past to reaffirm the needs of the present. This movement, the cause of the 9/11 terrorists, took up the mantle of opposition to the west for political reasons, even using the mischaracterizations of the west regarding their own faith.

They perceived (rightly so) that the west had all too frequently meddled in the construction of their states. They watched as one secular government after another, aided by the west, repressed its people and sat ildly by as millions of impoverished Muslims suffered. They noticed the destruction of moral values in their culture as the commercialism and materialism of the global community invaded their nations. In observing all these phenomena, Huntington was entirely correct in rejecting the universality of the western values that Fukuyama proudly trumpeted as the "end of history". Both men, however, were fundamentally wrong.

They were wrong in several ways, and perhaps for different reasons. First, Fukuyama assumed that the triumphant western values were rationalism, republican governments, pluralism, and free markets. He was right only about free markets. As demonstrated in this research project, it has to be acknowledged that Fukuyama's other "western" values originated first in the philosophical traditions of Islam, centuries before they were debated by their counterparts in Europe.

As European courts were busy banishing non-Christians, administering inquisitions, herding non-Christian minorities into ghettos, burning heretics at the stake (all of these secular affairs, interestingly), destroying non-Christian holy texts, and ruling by divine right of the monarch, Muslims were electing their Caliph, governing by virtue of sura (consultation) and ijma (consensus), protecting the freedom of worship of non-Muslim religious minorities, subsidizing the arts and the sciences, applying reason and rigorous logic in debating classical philosophical concepts, many of them from other cultures (predominantly Greek), and extolling the virtues of civil disobedience ("the noblest jihad is disobedience of an unjust caliph"), tolerance, equity, and fairness in government.

This thesis is no mere attempt to prove that Islam is "compatible" with western democratic culture. It has clearly demonstrated the vital elements of democratic culture that not only introduced democracy, but made it successful in Islamic culture from its very inception. The programme adopted by Al-Qaeda and its affiliates is in agreement with the very orientalists that turn their collective blind eye to this historical truth.

Why would this be? Because the anti-western political agenda gets as much as it needs from the strategy of conflict as the anti-eastern political agenda does. Secular scholars in the west chafe at the idea that religion has anything to offer the world, morally, ethically, scientifically, socially, politically, or practically. The very rapaciousness of their attack upon religion in the west, begun during the self –appointed "Enlightenment", has now turned its eager attention to the Islamic world. Their biggest allies in this effort are extremist Muslims themselves. Muslim extremists, of course, see a different outcome. They foresee the realization of a world-wide caliphate (something alien to historical Islam), the jihad taken to all parts of the world unconquered by Islam (the dar al-harb), the establishment of Sharia law over every part of society, and the submission of all to Allah. In this jihad, they have shown a willingness to shed innocent blood, the blood, even, of their own brothers in faith. This modern invention of jihad knows no restrictions, sees enemies from within, and is dedicated to total obliteration of opposition. This is the post 9/11 world we inherit.

But there are others whose voice will not be silenced. There are those who have practiced their religion side by side with the infidel, and extend the hand of brotherhood to him, both in the east and in the west. There are those who in the context of their religious traditions have seen the commonalities that bridge all religions. There are those who understand that the universality that Fukuyama envisions and that Huntingtopn rejects is no mere free market material culture. It is a universal desire to be free, to live in peace, to believe in one's faith, to live in a moral society that protects its citizens from crime, to respect the beliefs of others from divergent traditions. These virtuous things

actually first found their expression in religious, not academic, thought. The themes to be found in the New and Old Testament, the Qur'an, the Bhagavad Gita, the teachings of the Buddha, all speak of this universality. This cannot be the universality that Fukuyama and Huntington are steeped in, for that is a creature born of politics and economics, of rationalism, and legal systems.

Huntington is wrong because he assumes that the Islam that has presented itself in the post 9/11 era, the Islam of the orientalists, is definitive. In doing so, he has set up several "straw men". First, he has erected a stereotypical view of Islam that is really based on the contributions of Wahhabism, twentieth century modernists, and extremists. Second, he has constructed a set of values, perhaps borrowed from Fukuyama (after all his "Clash of Civilizations" is in response to the "End of History"), that is necessary for there to be what he acknowledges as a harmonious universalism. He denies the deeper universal trends inculcated in the religious traditions of both east and west.

In an interview with *Islamic* Monthly, just before his death in 2008, Huntington was able to see a creeping pluralism overtaking the Muslim world, although he basically stood by his characterization of Islam and its seemingly incompatibility with democracy:

> "I'm not an expert on Islam, but it is striking the relative slowness with which Muslim countries, particularly Arab countries, have moved toward democracy. Their cultural heritage and their ideologies may be in part responsible. The colonial experience they all went through may be a factor in the fight against Western domination, British, French or whatever. They were until recently largely rural societies with land owning governing elites in most of them. I think they are certainly moving toward urbanization and much more pluralistic political systems. In almost every Muslim country, that is occurring. Obviously they are increasing

> their involvement with non-Muslim societies. One peak aspect of this, of course, is the migration of Muslims into Europe."[387]

Perhaps at fault is a deeper bias. It is the inevitable result of centuries of conflict between east and west, conflict that secular scholars like Huntington gleefully blame religion for. Certainly, there have been wars fought between the great religious faiths of Christianity and Islam. But what were the root causes of those wars? Were they waged by wild-eyed fanatical religious zealots, as academics would have us believe? In my Master's thesis entitled *Holy War as an Instrument of Theocratic and Social Ideology, in Judaic, Christian, and Islamic History*, I indicated that the root causes of many so-called religious wars are profoundly materialistic and perpetuated by materialistic needs. Competition over scarce resources (land, water, trade) drives every war to a certain extent. Religion gains the upper hand in its ability to wage more effective wars in its unique ability to transcend those needs, redefining the conflict to be a moral imperative. Religion, or more properly explained, religious *authority*, for it takes a theocratic power to express this authority in the interests of the state, can summon a kind of unifying force, to bring people together (provided it has effectively appropriated and interpreted Scripture) and give everyone a noble reason to take up arms.

Whatever the reasons for men to make war, religion, or more accurately, religious ideology, is merely a method by which they may do so more effectively. It is a crude substitute for the political ideology of the state. Likewise, in constructing political systems, or in estasblishing its constituent parts (civil society, common interest,

---

[387] *Islamic Monthly*, June 17, 2012, at: http://www.theislamicmonthly.com/interview-samuel-huntington/

pluralism, etc), religion is a two-edged sword. It can work for the edification of an enlightened society, as it did during the Abassid Dynasty, and the Ottoman Empire, or it can fan the flames of materialistic greed, as the offices of the Inquisition did in Europe, providing monarchs an effective way to acquire the sizeable land holdings of heretic nobles.

In the twenty-first century, the challenge remains the same. Which edge of the sword shall be used? Will Muslims turn to their historical faith and acknowledge the rational philosophical debate that introduced the noble concepts of the falsifiya? Or will modern extremists drive them into liberation movements Islamic in name only? Christianity has spawned such movements as well; shall Christianity be judged by their interpretation of Scripture?

The thirteenth century Sufi poet and philosopher Maulana Rumi penned the following plea to Muslim and non-Muslim alike:

> Don't worry about rituals,
> worship as your heart desires
> for your blasphemy is religion,
> and your religion the
> light of soul.
> You are under God's protection,
> and the world is protected…
> because of you.[388]

Like Rumi, and the thousand year influence of classical Islamic philosophy that precedes the modern age, one needs only to look to the noblest expressions of culture and

[388] Cyrus Masroori, "An Islamic Language of Toleration: Rumi's Criticism of Religious Persecution" *Political Research Quarterly*, v.20, no.10, 2009, p.9.

civilization to see that Huntington's clash occurs within, not between, the great civilizations.

Works Cited

Abrahamov, Binyamin, "Al-Ghazali's Supreme Way to Know God". *Studia Islamica*, No.77, 1993.

Abu'l-Fidá, `Imád al-Din Ismá'íl b. `Ali, *Al-Mukhtasar Fí Akhbár Al-Bashar* vol.1 Cairo: Matba`at al-Husayníyyah, 1325 C.E.

Adamson, Peter. & Richard Taylor, R. *The Cambridge Companion to Arabic Philosophy*. Cambridge: Cambridge University Press, 2005.

Afnan, Soheil M. *Avicenna, His Life and Works*, London: George Allen & Unwin LTD, 1958.

Ali, A. Yusef, translator and commentary. *The Holy Qur'an.* Brentwood, MD: Ammana Corp. 1983.

Ali, Moulavi Chiragh. *A Critical Exposition of the Popular Jihad*. Calcutta: Thacker, Spink and Co, 1885.

Ali, Moulaui Chiragh, "Islamic Modernism and the Issue of Women" *Contemporary Debates in Islam: An Anthology of Modernist and Fundamentalist Thought,* Mansoor Moaddel & Kamran Talattof, editors. New York: St. Martin's Press, 2000.

Ali, Muhammad. *A Manual of Hadith* (Second Edition). London: Curzon Press, 1978.

Al-Farabi, "al-madinah al fadilah, or The Virtuous City", R. Walzer, translator, *Al-Farabi on the Perfect State: Abu Nasr al-Farabi's Mabadi' Ara Ahl al-Madina al-Fadila*. Oxford: Clarendon Press, 1985.

Al-Mawardi, *The Laws of Islamic Governance*, Asadullah Yate, trans. London: Ta-Ha, 1996.

Alon, Ilai, "Al-Ghazali on Causation". *Journal of the American Oriental Society*, Vol.100, #4, Oct-Dec, 1980.

Al-Qayrawani, Ibn Abi Zayd . *La Risala (Epitre sur les elements du dogme et de la loi de l'Islam selon le rite malikite)*, trans. Leon Bercher, 5th ed. Algiers, 1960.

Al-Sayyid, Mustapha Kamel. "The Concept of Civil Society and the Arab World", *Political Liberalization and Democratization in the Arab World*, *Volume 1: Theoretical Perspectives*, Rex Brynen, Bahgat Korany, & Paul Noble, editors. Boulder: Lynne Rienner Publishers, 1995.

Anderson, Roy R., Seibert, Robert, & Wagner, Jon G. *Politics and Change in the Middle East: Sources of Conflict and Accomodation.* NJ: Prentice Hall, 1993.

Asad, Talal, *Genealogies of Religion: Disciplines of Reason in Power in Christianity and Islam*, Maryland: Johns Hopkins Press, 1993.

Avicenna, *Kitab al-Hidaya,* Muhammad 'Abdu, editor. Cairo: 1874.

Avicenna, *Metaphysica.* Venice: Bibliothèque S. J., 1961.

Beinin, Joel and Stork, Joe. *Political Islam: Essays from Middle East Report*, Berkeley, CA: University of California Press (1996).

Bennett, Clinton & Kunkel, Geros. "The Concept of Violence, War, and Jihad in Islam". *Dialogue and Alliance*, 18:1, Spring/Summer, 2004.

Berman, Paul. *Terror and Liberalism*. New York: W.W. Norton and Company, 2003.

Binder, Leonard. *Islamic Liberalism: A Critique of Development Ideologies.* Chicago: University of Chicago Press, 1988.

Black, Antony. *The History of Islamic Political Thought: From the Prophet to the Present.* New York: Routledge, 2001.

Black, Deborah. "Al-Farabi" in *History of Islamic Philosophy*. Oliver Leaman & Seyyed Nasr, eds. London: Routledge Press, 2001.

Bontekoe, Ronald & Stepaniants, Mariėtta Tigranovna. *Justice and Democracy*, Honolulu: University of Hawaii Press, 1997.

Bostom, Andrew. *The Legacy of Jihad: Islamic Holy War and the Fate of Non-Muslims*. Amherst, NY: Prometheus Books, 2005.

Brown, Robert. "Holy War as an Instrument of Theocratic and Social Ideology in Judaic, Christian, and Islamic History" (a Master's thesis, San Bernardino: California State University, San Bernardino, 1997).

Brynen, Rex; Korany, Bahgat; and Noble, Paul, eds. *Political Liberalization & Democratization in the Arab World,* Vol. 1 and 2. Boulder, CO: Lynne Rienner Publishers, 1995

Bulliet, Richard W. *The Case for Islamo-Christian Civilization*. New York: Columbia University Press, 2004.

Butterworth, Charles, "Ethical and Political Philosophy" *The Cambridge Companion to Arabic Philosophy*. Peter Adamson and Richard Taylor, editors. Cambridge: Cambridge University Press, 2005.

Calvert, John, *Sayyid Qut'b and the Origins of Radical Islamism.* New York: Columbia University Press, 2010.

Carapico, Sheila. *Civil Society in Yemen*. Cambridge: Cambridge University Press, 1998.

Colish, Marcia L. *Medieval Foundations of the Western Intellectual Tradition. 400-1400*. New Haven: Yale University Press, 1999.

Commins, David Dean. *The Wahhabi Mission and Saudi Arabia.* (London: I.B. Tauris, 2006.

Conrad, Lawrence I. *The World of Ibn Tufayl: Interdisciplinary Perspectives on Hayy ibn Yaqzan.* The Netherlands: E.J. Brill, 1996.

Cooke, Michael. *Studies in the Origins of Early Islamic Culture and Tradition*. Burlington, VT: Ashgate Publishing Company, 2004.

Corbin, Henry. *History of Islamic Philosophy*. London: Keagan Paul International, 1993.

Craig, William Lane, "Whitrow and Popper on the Impossibility of an Infinite Past", London: *The British Journal for the Philosophy of Science* #30, vol.2, June 1979.

Dangor, Suleman. "Jihad: Between War and Peace". *Alternation*, Special Edition 2, 2005.

Dawood, N.J, translator. *The Koran*. London: Penguin Books, 1994.

Davidson, Herbert. *Alfarabi, Avicenna, and Averroes on Intellect: Their Cosmologies, Theories of the Active Intellect, and Theories of Human Intellect*. Oxford: Oxford University Press, 1992.

Decasa, George. *The Quranic Concept of Umma and its Function in Philippine Muslim Society.* Rome: Editrice Pontificia Università Gregoriana, 1999

DeLong-Bas, Natana J. *Wahhabi Islam: From Revival and Reform to Global Jihad*, London: I.B. Tauris and Co. LTD, 2004.

Diamond, Larry; Plattner, Marc; Brumberg, Daniel, editors, *Islam and Democracy in the Middle East.* Baltimore, MD: The Johns Hopkins University Press, 2003.

Donner, Fred McGraw. *The Early Islamic Conquests*. Princeton: Princeton University Press, 1981.

El-Bizri, Nader. "Avicenna and Essentialism," *Review of Metaphysics* (Vol. 54, 2001).

El-Bizri, Nader. "Being and Necessity: A Phenomenological Investigation of Avicenna's Metaphysics and Cosmology," in *Islamic Philosophy and Occidental Phenomenology on the Perennial Issue of Microcosm and Macrocosm*, Anna-Teresa Tymieniecka editor. Dordrecht: Kluwer Academic Publishers, 2006.

Esposito, John and Voll, John O. *Islam and Democracy*. New York: Oxford University Press, 1996.

Fakhri, Majid. *Islamic Occasionalism*. London, Allen & Unwin, 1950.

Fakhri, Majid. *A History of Islamic Phislosophical Thought*. New York: Columbia University Press, 1970.

Fancy, Nahyan A. G., "Pulmonary Transit and Bodily Resurrection: The Interaction of Medicine, Philosophy and Religion in the Works of Ibn al-Nafīs", (Electronic Theses and Dissertations, University of Notre Dame: 2006).

Farrukh, Omar A. *Ibn Taimiyya on Public and Private Law in Islam*. Beirut: Khayats, 1966.

Fernau, Friederich Wilhelm, *Moslems on the March*. New York: Alred A Knopf, 1954.

Fisher, Sydney Nettleton & Ocshenwald, William. *The Middle East: A History* (Fourth Edition). New York: McGraw-Hill, 1990.

Fluehr-Lobban, Carolyn, editors. *Against Islamic Extremism: The Writings of Muhammad Sa'id al-Ashmawy*. Gainesville, FLA: University Press of Florida, 1998.

Freamon, Bernard K. “Martyrdom, Suicide, and the Islamic Law of War: A Short Legal History”. *Fordham International Law Journal*, Vo.27, #1, Article 11, 2003.

Fregosi, Paul. *Jihad in the West: Muslim Conquests from the 7th to the 21st Centuries*. Amherst, N.Y: Prometheus Books, 1998.

Ghamidi, Javed Ahmad. "The Law of Evidence”, Shehzad Saleem (translator). *Monthly Renaissance*, 12 (9), September 2002), available online at http://www.monthly renaissance.com/issue/content.aspx?id=447.

Ghamidi, Javed Ahmad. “Islamic Punishments: Some Misconceptions”, Shehzad Saleem (translator). *Monthly Renaissance* 12 (9) September 2002. Available online at: http://www.monthly-renaissance.com/issue/content.aspx?id=445.

Ghazali, Abdus Sattar, *Islamic Pakistan: Illusions & Reality*. Pakistan: Ghazali, 1999.

Glasse, Cyril. *The New Encyclopedia of Islam*, Lanham, Maryland: Rowan & Littlefield, 2001.

Goldschmidt Jr. Arthur. *A Concise History of the Middle East*. Boulder, CO: Westview Press, 1983.

Goodman, Lenn Evan, *Ibn Tufayl’s Hayy Ibn Vaqzan*. New York: Twayne Publishers, 1972.

Goodman, Lenn Evan, *Islamic Humanism*, Oxford: Oxford University Press, 2003.

Gracia, Jorge J. E. and Noone, Timothy B. *A Companion to Philosophy in the Middle Ages*, Oxford: Blackwell Publishing, 2003.

Griffel, Frank, “Toleration and Exclusion: al-Shafi'i and al-Ghazali on the Treatment of Apostates”*, Bulletin of the School of Oriental and African Studies*, University of London, Vol. 64, No. 3 (2001).

Guillaume A. “The Life of Muhammad”—A Translation of Ishaq’s *Sirat Rasul Allah* Karachi: Oxford University Press, 1955.

Halliday, Fred. *Islam and the Myth of Confrontation*. London: I.B. Tauris, 2003.

Haque, Serajul. Imam *Ibn Taimiya and His Projects of Reform*. (Bangladesh: Islamic Foundation, 1982.

Hawi, Sami S. *Islamic Naturalism and Mysticism*. Leiden, Netherlands, E.J. Brill, 1974.

Hecht, Jennifer Michael. *Doubt: A History: The Great Doubters and Their Legacy of Innovation from Socrates and Jesus to Thomas Jefferson and Emily Dickinson*, San Francisco: HarperCollins, 2004.

Hekmat, Anwar. *Women and the Koran: The Status of Women in Islam*. Amherst, N.Y: Prometheus Books, 1997.

Hillenbrand, Carole. "Islamic Orthodoxy or Realpolitik: Al-Ghazali's Views on Government", *Iran*, Vol.26, 1988.

Holt, P.M; Lambton, Ann; and Lewis, Bernard editors. *The Cambridge History of Islam*, v.1, Cambridge, England: Cambridge University Press, 1970.

Hourani, Albert. *History of the Arab Peoples*. New York: Warner Books, 1992.

Hudson, Michael C. "The Political Culture Approach to Arab Democratization: The Case for Bringing it Back In, Carefully", contained in *Political Liberalization and Democratization in the Arab World*, Volume 1: Theoretical Perspectives, Rex Brynen, Bahgat Korany, & Paul Noble, eds. Boulder: Lynne Rienner Publishers, 1995.

Hughes, Thomas P. "Jihad" *A Dictionary of Islam*. London: W.H. Allen ed. 1895.

Huntington, Samuel. *The Clash of Civilizations and the Remaking of World Order*. New York: Simon & Schuster, 1996.

Hurd, Elizabeth Shakman *Religious Liberty in Western and Islamic Law: Toward a World Legal Tradition*, New York: Oxford University Press, 2012.

Hurd, Elizabeth Shakman. "Toward a Comparative Analysis of Two Theopolitical Orders: Secularism and Political Islam in Historical Context." Paper presented at the American Political Science Association's annual meeting, Aug.30-Sept.2, 2001, San Francisco.

Husik, Isaac. *Averroes on the Metaphysics of Aristotle*. *The Philosophical Review*, Vol.18, #4, July 1909.

Ibrahim, Saad Eddin. "Civil Society and Prospects of Democratization in the Arab World", included in Augustus Richard Norton's *Civil Society in the Middle East*. New York: E.J. Brill, 1995.

Ibn Kathir, *Tafsir Ibn Kathir*. Riyadh: 2000, vol.4.

Ibn Khaldun, *The Muqudimmah: An Introduction to History*, Franz Rosenthal, trans. New York: Pantheon, 1958.

Ibn Taymiyyah, from Rudolph Peters, *Jihad in Classical and Modern Islam*. NJ: Markus Wiener Publishers, 1996.

Ivry, Alfred L. translator. *Al-Kindi's Metaphysics: A Translation of Ya'qub ibn Ishaq al-Kindi's Treatise "On Fisrt Philosophy", or fi al-falsafah al-ula*. Albany: State University of New York Press, 1974

Johnson, James Turner and Kelsay, John. *Cross, Crescent and Sword*. New York: Greenwood Press, 1990

Jones, Irwin. "Averroes' Reason: A Medieval Tale of Christianity and Islam", *The Philosopher*, Autumn 2002, (2).

Kenneth Katzman, CRS Report for Congress. Washington DC: Congressional Research Service.

Keddie, Nikki R. *Sayyid Jamal ad-Din "al-Afghani": A Political Biography* (Berkeley: University of California Press, 1972), pp. 225–26.

Kedouri, Elie. *Democracy and Arab Political Culture*. London: Frank Cass & Co. LTD., 1994.

Kepel, Gilles. *Jihad: The Trail of Political Islam*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 2002.

Khan, Aisha. *Avicenna (Ibn Sina): Muslim Physician and Philosopher of the Eleventh Century,* New York: Rosen Publishing Group, 2006.

Klein-Frank, Felix, "Al-Kindi" *History of Islamic Philosophy*, OliverLeaman and Seyyed Nasr, eds. London: Routledge Press, 2001.

Kogan, Barry S, *Averroes and the Metaphysics of Causation*, New York: State University of New York Press, 1985.

Kurzman, Charles, ed. *Modernist Islam, 1840-1940: A Sourcebook*. Oxford: Oxford University Press, 2002.

Kurzman, Charles, ed. *Liberal Islam: A Sourcebook*. Oxford: Oxford University Press, 1998.

Lahoud, Nelly. *Political Thought in Islam*. New York: Routledge Curzon, 2005.

Lane, Jan Erik & Redissi, Hamadi. *Religion and Politics: Islam and Muslim Civilization.* Burlington, VT: Ashgate Publishing Company, 2004.

Lapidus, Ira. *A History of Islamic Societies*. Cambridge, England: Cambridge University Press, 1988.

Lapidus, Ira. "State and Religion in Islamic Societies", *Past and Present*, 151, May 1996, p.3.

Leaman, Oliver. *A Brief Introduction to Islamic Philosophy* (Cambridge, UK: Polity Press, 1999

Leca, Jean. "Democratization in the Arab World: Uncertainty, Vulnerability, and Legitimacy. A Tentative Conceptualization and Some Hypotheses", *Democracy Without Democrats? The Renewal of Politics in the Muslim World*. Ghassan Salame, ed. London: I.B. Tauris Publishers, 1994.

Lewis, Bernard. 'Islam and the West" (Oxford: Oxford University Press, 1993), pp.135-136/

London, Jennifer, "How to do Things with Fables: Ibn Al-Muqaffa's Frank Speech in Stories from Kal La Wa *Dimna*", *History of Political Thought*, Volume 29, Number 2, 2008.

Lucas, Scott C. *Constructive Critics, Hadith Literature and the Articulation of Sunni Islam: The Legacy of the Generation of Ibn Sa'd, Ibn Ma'in, and Ibn Hanbal*. Boston: Brill, 2004.

Makari, Victor, E. *Ibn Taymiyyah's Ethics, The Social Factor*. Chico, CA: Scholars, Press, 1983.

March, Andrew *Islam and Liberal Citizenship: The Search for an Overlapping Consensus* New York: Oxford University Press, 2009.

Martin, Richard C., Woodward, Mark R., and Atmaja, Dwi S. *Defenders of Reason in Islam: Mu'tazilism from Medieval School to Modern Symbol*. Oxford, England: Oneworld Publications, 1997.

Mashran, Salem. *Al-Janib al-ilahi 'ind Ibn Sina*. Damascus: dar qutayba,1992.

Masroori, Cyrus. “An Islamic Language of Toleration: Rumi’s Criticism of Religious Persecution” *Political Research Quarterly*, v.20, no.10, 2009.

Maududi, Sayeed Abul A'la. *Islamic Law and Its Introduction,* Lahore: Islamic Publications, Ltd., 1955.

Maududi, Sayeed Abdul A'la. *Jihad in Islam,* Lahore: Islamic Publications, Ltd., 1955.

McGinnis, Jon. “Scientific Methodologies in Medieval Islam”. *Journal of the History of Philosophy*. July 2003: #41, Vol.3).

Mernissi, Fatima. *Islam and Democracy: Fear of the Modern World*. New York: Addison-Wesley Publishing Company, 1992.

Morewedge, Parviz. *The Mystical Philosophy of Avicenna*, Binghamton: Global Publications, 2001.

Morewedge, Parviz. *Neoplatonism and Islamic Thought*, New York: SUNY Press, 1992.

Morris, James W. "The Philosopher-Prophet in Avicenna's Political Philosophy", *The Political Aspects of Islamic Philosophy*, C. Butterworth, ed. Cambridge: Harvard University Press, 1992.

Murphy, John F. *Sword of Islam: Muslim Extremism from the Arab Conquests to the Attack on America.* Amherst, N.Y: Prometheus Books, 2002.

Musallam, Adnam, *From Secularism to Jihad: Sayyid Qut’b and the Foundations of Radical Islamism*. Westport, CT: Praeger Publishers, 2005.

Najm, Sami M., “The Place and Function of Doubt in the Philosophies of Descartes and Al-Ghazali”, (*Philosophy East and West*, July-October 1966, #16.

Najmu ‘L Hasan, Sayyid *an-Nubuwwah wa 'l-khilafah*, Lucknow: tr Liqa' 'Ali' Haydari, 1934.

Nasr, Seyyed Hossein & Leaman, Oliver. *History of Islamic Philosophy*. New York: Routledge Press, 1996.

Nasr, S.V.R. *Mawdudi and the Making of Islamic Revivalism*, New York: Oxford University Press, 1996.

Parens, Joshua. *An Islamic Philosophy of Virtuous Religions: Introducing Alfarabi*. New York: State University of New York Press, 2006.

Philpott, Daniel *God's Century: Resurgent Religion and Global Politics,* New York: W.W. Norton and Co. 2011.

Pickthall, William Marmaduke. *The Glorious Koran*. Albany: State University of New York Press, 1976.

Quinlan, Esther Sakinab, "The Jihad Question". *Tikkun* Magazine, September/October, **V.17, #5**, 2002: accessed at: http://www.tikkun.org/nextgen/the-jihad-question.

Qut'b, Sayyid. *Milestones*, University of California: International Islamic Publishers, 1981.

Reisman, D.C. "Al-Farabi and the Philosophical Curriculum" *The Cambridge Companion to Arabic Philosophy*, Peter Adamson & Richard Taylor eds. Cambridge: Cambridge University Press, 2005.

Riad Kocache, ed. *Hayy Ibn Yaqzan*, London: Octagon Press, 1982.

Roeber, A.G. "What the Law Requires is Written on Their Hearts: Noachic and Natural Law among German-Speakers in Early Modern North America", *The William and Mary Quarterly, Third Series* 58 (4) October 2001.

Roy, Oliver. *Globalized Islam: The Search for a New Ummah*. London: Hurst & Company, 2002.

Rubin, Barry A. *Guide to Islamicist Movements*. New York: M.E. Sharpe, Inc, 2010.

Said, Edward. *Orientalism*. New York: Vintage Press, 1979.

Sachedina, Abdulaziz. The *Islamic Roots of Democratic Pluralism*, New York: Oxford University Press, 2001.

Sadaune Samuel, *Inventions et decouvertes au Moyen-Age dans le monde*. France: Quest Publishers, 2006.

Safi, Louay. *Tensions and Transitions in the Muslim World*. Dallas: University Press of America, 2003.

Salahuddin, Atif. "Is Iran an Islamic State?" (Monday, 13 July 2009 10:09) at http://www.khilafah.com/index.php/concepts/political-concepts/7007-is-iran-an-islamic-state.

Salame, Ghassame. *Democracy Without Democrats? The Renewal of Politics in the Muslim World*. London; New York : I.B. Tauris, 1994.

Schaeder, H.H. "Der Eintritt der Araber in die Weltgeschichte", *Der Mensch in Orient und Okzident.* Munchen, 1960.

Shemesh, A. Ben. *Taxation in Islam*, Vol.3. London: Luzac & Co.Ltd., 1969.

Sivan, Emmanuel. *Radical Islam: Medieval Theology and Modern Politics*, New Haven, CT: Yale University Press, 1985.

Soroush, Abdolkarim. *Reason, Freedom, and Democracy in Islam* Oxford: Oxford University Press, 2000.

Spencer, Robert. *The Myth of Islamic Tolerance: How Islamic Law Treats Non-Muslims*. Amherst, N.Y: Prometheus Books, 2005.

Stahl, A.E. "'Offensive Jihad' in Sayyid Qutb's Ideology." International Institute for Counter-Terrorism. 24/03/2011. (http://www.ict.org.il/Articles/tabid/66/Articlsid/914/currentpage/5/Default.aspx).

Stolyarov II, H. "Rhazes: The Thinking Western Physician", (*The Rational Argumentator*, Issue VI, 2002).

Stroumsa, Aarah. *Freethinkers of Medival Islam: Ibn al-Rawandi, Abu Bakr al-Razi, and Their Impact on Islamic Thought*, Boston: Brill, 1999.

Sunar, Ilkay. "Civil Society and Islam", included in *Civil Society, Democracy, and the Muslim World*: Elisabeth Ozdalga & Syne Persson, ed. Istanbul: Swedish Institute in Istanbul, transactions, vol.7, 1997.

Suyuti. *Tadrib al-rawi fi sharh Taqrib al-Nawawi*. (al-Qāhirah: Dār al-Kutub al-Ḥadīthah, 1966), p.6.

Swarup, Ram. *Understanding the Hadith: The Sacred Traditions of Islam*, Amherst, NY: Prometheus Books, 1st U.S. edition, 2002.

Takeyh, Ray. "The Lineaments of Islamic Democracy", *World Policy Journal*, Winter 2001/02.

Tamadonfar, Mehran. *The Islamic Polity and Political leadership*, Boulder : Westview Press, 1989.

Tate, George. *The Crusaders: Warriors of God*, New York: Harry N. Abrams Inc., 1996.

Tibi, Bassam. *From Sayyid Qut'b to Hamas: The Middle East Conflict and the Islamization of Antisemitism*, (Yale Initiative for the Interdisciplinary Study of Antisemitism Working Paper Series, http://www.isgap.org/wp-content/uploads/2011/10/bassam-tibi-online-working-paper-20101.pdf).

Ul-Haq. Muhammad Izhar . *Poetry of the Riddah Wars: Its Literary, Political, and Religious Aspects*. Dissertation Manuscript for the Ph.D. degree, Indiana University, 1998.

Ul-Wajidi, Maulana Nadeem.. "Sir Syed and Maulana Qasim Nanotvi" *Jadid Khabar*, 17-10-2011).

UMP Asia News, Vol.II, No.3, Fall-Winter, 1999/200.

Wahba, Mourad & Abousenna, Mona, eds. *Averroes and the Enlightenment*. Amherst, NY: Prometheus Books, 1996.

Walker, Paul E. "The Political Implications of al-Razi's Philosophy" *The Political Aspects of Islamic Philosophy*, Muhsin Mahdi's & Charles Butterworth. Eds. Cambridge, MA: Harvard University Press 1992.

Wansbrough, John. *Quranic Studies: Sources and Methods of Interpretation.* Oxford: Oxford University Press, 1977.

Warraq, Ibn. *Leaving Islam: Apostates Speak Out*. Amherst, NY: Prometheus Books, 2003.

Warraq, Ibn. *The Origins of the Koran: Classic Esssays on Islam's Holy Book.* Amherst, NY: Prometheus Books, 1998.

Warraq, Ibn, ed. *The Quest for the Historical Muhammad*. Amherst, NY: Prometheus Books, 2000.

Warraq, Ibn. *Why I am Not a Muslim*. Amherst, NY: Prometheus Books, 1995.

Waterbury, John. "Democracy Without Democrats?: The Potential for Political Liberalization in the Middle East" *Democracy Witout Democrats? The Renewal of Politics in the Muslim World.* Ghassan Salame, ed. London: I.B. Tauris Publishers, 1994.

White, Joshua T. *Understanding the Taliban: Assessing Religious Categories of Analyses*. (DIIS: Religion and Violence, February 2012.

Wild, Stefan. "Islamic Enlightenment and the Paradox of Averroes." *Die Welt des Islams*, New Series, November 1996, #3, Vol.36, Islamic Enlightenment in the 18th Century.

Ye'or, Bat. *Islam and Dhimmitude,Where Civilizations Collide*, Littman and Kochan translator. Madison, NJ: Fairleigh Dickinson University Press, 2002.

Young M.L.J. & Latham, J.D. *Religion, Learning and Science in the 'Abbasid Period*, Cambridge, UK: Cambridge University Press, 2006.

Internet Sources

http://www.magnacartaplus.org/magnacarta/

http://www.witness-pioneer.org/vil/Articles/quran/scriptq.htm

http://www.usc.edu/dept/MSA/quran/009.qmt.html

http://www.al-islam.org/al-tawhid/hadith-science/index.htm

http://www.al-islam.org/imamate/index.htm

http://oregonstate.edu/groups/msa/books/
sermon.html.

http://mwlusa.org/topics/sources/sources.html

http://www.usc.edu/dept/MSA/fundamentals/hadithsunnah/scienceofhadith/brief1/

http://sunnah.org/publication/khulafa_rashideen/shafii.htm.

http://www.monthly-renaissance.com/issue/content.aspx?id=1016

http://www.muslimheritage.com/topics/default.cfm?ArticleID=808

http://www.fas.org/irp/world/para/mb.htm

http://www.theguardian.com/books/2013/jan/21/salman-rushdie-jaipur-literary-festival

http://www.theislamicmonthly.com/interview-samuel-huntington/

Appendix: Glossary

Ashab al-suffah: three or four hundred "companions of the Prophet"

Falsafah: A branch of Islamic studies that represents a longstanding attempt to create harmony between philosophy (reason) and the religious teachings of Islam (faith).

Fiqh: Islamic jurisprudence, or the observance of rituals, morals and social legislation in Islam. There are four prominent Sunni schools (*madh'hab*): Hanafi, Maliki, Shafi'I, and Hanbali, and two major Shi'ite schools: Ja'fari and Zaidi.

Ihtijaj: To Give Logical argument or proof. It has three major modes or kinds: syllogism (Qiyas), inductive argument (Istiqra), and argument by analogy (Tamthil).

Ijma: Consensus

Irja: A concept regarding the corruption of Islam through association with the religion of a monarch: "A religion that agrees with the Kings, they gain from the dunya with it, and lose from their religion".

Isnad: A list of authorities who have transmitted a report (*ḥadīth*) of a statement, action, or approbation of Muhammad, one of his Companions, or of a later authority.

Istihsan: (Juristic Preference). The term literally means to deem something preferable. In its juristic sense, Istihsan is a method of exercising personal opinion (ray) in order to avoid any rigidity and unfairness that might result from literal application of law.

Istihsan as a concept is close to equity in western law. However equity in western law is based on natural law, whereas Istihsan is essentially based on divine law.

Itjihad: Literally, interpretation. The verbal noun of the Arabic word Ajma'a which has two meanings: to determine, to agree upon something. Ijma is considered the third proof of Shariah after the Quran and the Sunnah. As a proof of Shariah, it is basically a rational proof. An Ijtihad or an Interpretation of one or a few scholars when it becomes universal, ascends to the status of ijma (consensus).

Jihad: Traditionally understood by Western sources as describing the concept of "holy war", it is more precisely understood in Islam as having two components, greater and lesser jihad. Greater jihad denotes an internal struggle of the individual against personal sin, lesser jihad externalizes the conflict by exhorting Muslims to fight for the establishment of Islam in the world at large. Some sources within Islam have interpreted this to be an exhortation to war with the non-Islamic world (see Dar al Harb), others have seen it as an injunction to simply remove obstacles (bigotry, misunderstanding, oppression of governments) to the preaching of Islam.

Khabar: Report. Usually a transmission of a story involving the Prophet or one of his sayings.

Maslaha: "Public interest". This is a concept in traditional Islamic Law. It is invoked to prohibit or permit something on the basis of whether or not it serves the public's benefit or welfare. The concept is related to that of Istihsan.

Mu'tazilah (Mu'tazilites): A distinct Islamic school of speculative theology that flourished in the cities of Basra and Baghdad during the 8th–10th centuries AD. It is still

adopted by a small, dispersed minority of Muslim intellectuals. Adherents are usually not accepted by Sunni scholars due to the Mu'tazili belief that human reason is more reliable than tradition.

Nechariyya: "Naturists" in Islam. Roughly equivalent to pantheists in the Christian lexicon.

Orientalism: Although Orientalism is a term used by most Western scholars to denote the study of the East by Western scholars, Edward Said goes so far as to assert that that the term describes a "corporate institution for dealing with the Orient --dealing with it by making statements about it, authorizing views of it, describing it, by teaching it, settling it, ruling over it: in short,…as a Western style for dominating, restructuring, and having authority over the Orient.[389]

Qiyas: The process of deductive analogy in which the teachings of the Hadith are compared and contrasted with those of the Qur'an, in order to apply a known injunction to a new circumstance and create a new injunction.

Ra`y: Personal judgment. Usually, the personal judment of a holy man or scholar.

Sahihs: Collections of Hadith, most notably, al-Bukhari's and Sahih Muslim's. But there are four other collections which are called Sunan—Usages—and which stand only second to the two Sahihs. These are by Ibn Maja (d. 303), Abu Da'ud as-Sijistani (d. 275), at-Tirmidhi (d. 279) and an-Nasa'i (d. 303).

---

[389] Edward Said, Orientalism (New York: Vintage Press,1979), p.3.. Said goes further in maintaining that: "…every European,in what he could say about the Orient, was a racist, an imperialist, and almost totally ethnocentric." (pp.25).

Takfir: An accusation of heresy, usually from a fellow Muslim.

Tawhid (توحيد;) The Islamic idea of monotheism. In Islam, Tawhīd means to assert the unity of Allah. The opposite of Tawhīd is shirk, which means "making something as comparable" (to God) in Arabic, referring to idolatry.